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THE LIFE AND TIMES

OF

THE RIGHT HONOURABLE

SIR JAMES R. G. GRAHAM,

BART., G.C.B., M.P.

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BY

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LIFE AND TIMES

OF THE RIGHT HONOURABLE

SIR J. R. G. GRAHAM, BART.,

G.C.B., M.P.

CHAPTER I.

SHORT-LIVED ADMINISTRATIONS.

1834—1835.

1834. Retrospect.

On quitting office in May, 1834, Sir James Graham had no intention of severing himself from the party with whom he had hitherto acted. For many of its distinguished members he still entertained unaltered feelings of kindness and respect; and in the great principles by which, as he understood them, the party had generally been governed, he professed unshaken confidence. That principle he defined as continuous but Conservative progress. Writing from Goodwood early in the year, to one of his most influential friends in Cumberland, who had called his attention to certain omissions and anomalies in the Reform Act, he said,—"I agree almost entirely in the opinion

1831. which you express with regard to the defects in the machinery of the Reform Act; and your suggestions for its improvement are well entitled to careful consideration. I will take care that they receive attention, if we bring forward a new bill to alter and amend, but we are somewhat indisposed prematurely to touch this measure, since its real defects are not yet fully demonstrated by ample experience; and if we once open the question we may not be quite masters of all the changes which it would be attempted to introduce. Caution, therefore, is necessary, and I cannot say that a bill to amend will be brought forward; but if such a bill be introduced, you may rely on my attention to your suggestions. The sums awarded by the present Act to the Clerks of the Peace, for duties purely ministerial, are quite exorbitant, and must be cut down. I thank you very much for favouring me with your opinion on these points; and at any time, or on any occasion, when you are disposed to state to me your sentiments on public matters, I shall be obliged; for I respect your principles, and can place reliance on your good sense and sound discretion."

His motives not generally understood.

The person to whom these sentiments were addressed was not a man to be trifled with, or one to whom a shifty politician, meditating the evasion of party ties, would have needlessly committed himself so far. Many of his friends in the county regretted,

indeed, his alienation from the government of Lord Grey, the fall of which it obviously tended to precipitate. They doubted not the uprightness of his motive in thus abandoning power, yet few of them perhaps understood distinctly why he had resigned. In the value he set on the theory of a Church Establishment they had little sympathy; and of the practical cost and mischief of prolonging a social war in Ireland about tithes, they had a very clear perception. Uncommuted tithes were highly unpopular, even on their own side of the Channel; and in the diocese of Carlisle, beside many Nonconformists, there were a large and influential number of the middle classes who looked without love on an institution, whose political influence amongst them had generally been lent to the unpopular side. Sir James understood this feeling well, and had always looked forward to some legislative change, that might have the effect of allaying just cause of dissatisfaction, between those who paid tithes and those who received them. "Fixed in his determination to uphold the Established Church, he advocated the commutation of tithes on terms which should be just to the receiver, yet beneficial to the payer. True to the principles from which he had never deviated, he knew no bound to the progress of temperate and rational improvement in all our institutions, ecclesiastical as well as civil, provided the proposed reforms 1834.

1834. were consistent with the maintenance and the integrity of the institutions themselves."* Such was the language held by him in private and in public, and none undertook to gainsay its consistency with what they had heard from him before.

Resumes country pursuits.

He had taken little part in the proceedings of Parliament during the latter portion of the session; and during the recess he seemed only desirous to resume those country pursuits which had been interrupted during his residence of three years and a half at the Admiralty. Many local incidents and changes for the worse or for the better had occurred in that period, about which he had a thousand inquiries to make. With his accurate memory he measured the silent growth of the numerous improvements previously begun, and examined inquisitively all that had been done or left undone while he was away. It was a fine autumn, the harvest promised well, and the moors tempted him often to ask himself what compensation the drudgery and cares of office afforded for the healthful and exhilarating enjoyments of the hill-side? "What shadows we are, and what shadows we pursue!" he muttered to himself as he lay upon the purple heather, and vowed that he had had enough of thankless tape-tying and public accounting. He had earned his right to be independent, he would in future take a line of his own; what was office to him?

* Address to Electors, 16th Dec., 1834.

With some of his late colleagues he still kept up an interchange of views from time to time. Lord Melbourne's "patch-up of the old concern," as he called it, was daily treated with less and less of forbearance by the press. It reminded him of that which had been attempted by Lord Goderich, in 1827, after Mr Canning's death, and he prognosticated its early disappearance from the scene. Nevertheless so long as Lord Althorpe remained, nothing, he felt, could induce him to take any decided part in opposition. His faith had been shaken in others, but not in him; and his chief regret in the course he had pursued on the subject of the Irish Church, arose from the need of severance from the man whom till then he had found it easiest, safest, and best to act with in public life. He had indeed at one time looked forward with confidence and pleasure to his becoming the head of the liberal party. Throughout 1833 Lord Grey had constantly intimated his wish to retire, and the terms of personal intimacy between Sir James and Lord Althorpe led him more than once to express the hope he entertained. It was not without difficulty he could be persuaded of the fixity of his resolve, never to undertake the charge thus designed for him. Any one else might have it that pleased, whom the party would agree to follow; but for himself he had no other wish or aim than to get out of office as speedily as he could, without leaving

1834. Lord Althorpe

1834. himself open to the reproach of deserting his friends. Reluctantly convinced at last of his earnestness and inflexibility of purpose in the matter, Sir James turned to Lord Stanley, whom, though some years his junior, he was not unwilling to recognize as entitled by his pre-eminent ability to take the lead. These calculations seemed to be disconcerted by the secession of the 27th of May; but nothing had yet occurred to make the schism in the party irreparable. Both sections had long followed the wise, gentle, and disinterested leadership of Lord Althorpe; and while he retained his old place in the Commons, who should say that they might not do so again? But on the 10th of November Earl Spencer died, and his son consequently was removed to the House of Lords. Who should succeed him as Chancellor of the Exchequer? became the question of the day on the Stock Exchange; who should be the new leader of the Commons? was the only thought of the West End: and the West End governed England. Sir James knew this well, and discerned at a glance the political consequences of the event. He knew better than most persons the rivalry that already existed between the two individuals, one or other of whom Brookes's would insist on having for its spokesman. He did not believe that, even were the late breach healed, Lord J. Russell would be satisfied to follow Lord Stanley, or that the latter could be induced to follow him. He saw that in

this relation they were incompatible with one another, and he felt how much the probability of reunion in the party had been lessened by the demise of one whose existence the world at large had long ceased to recollect. 1834.

On the 14th November Lord Melbourne waited on the King at Brighton, to propose the appointment of Lord John Russell as Chancellor of the Exchequer, and Leader of the House of Commons. His Majesty told him that it would not be necessary to enter into discussion as to the vacant offices, as he had made up his mind that Lord Brougham could no longer hold the Great Seal, and that after so many secessions from the original Cabinet of Lord Grey, he considered the Whig ministry at an end. Dismissal of the Whigs.

The Duke of Wellington, on being sent for, counselled William IV. to confide the task of forming a government to Sir Robert Peel: and as he was then in Italy, and could not under any circumstances be expected to return to England in less than a month, his Grace undertook to discharge the combined duties of First Lord of the Treasury, and Secretary of State in all the departments, during the interval that must ensue. The startling intelligence was promulgated in the *Times* next day, with the significant commentary that "the Queen had done it all." Grave objections were expressed in various quarters to the manner in which the change had been effected, and to the exceptional position which the Duke had

1834. assumed. No other man in the kingdom would indeed have been tolerated in such a monopoly of power, even for a month. The only colleague he ventured by anticipation to name, was Lord Lyndhurst, who re-accepted the Great Seal, still retaining his office of Chief Baron of the Exchequer. Sir J. Graham strongly disapproved of the entire proceeding. It too vividly recalled the transactions of May, 1832, when the new Chancellor and his Grace had endeavoured to defeat the Reform Bill, and oust the Whigs. He did not indeed believe that Lord Melbourne would have been able to conduct the business of the country during another session; but he thought that in a constitutional point of view, the Sovereign ought to have waited until the weakness of the Minister had been proved, by an adverse vote of the House of Commons. As it was, the Premiership had been put upon Sir Robert Peel in his absence and without his consent, while he was still at the head of but a minority in Parliament. The precedent was one extremely dangerous to parliamentary supremacy, and to the security and influence of monarchy itself. Nevertheless, he was free to admit that, as far as the new Premier was individually concerned, great allowance must be made for the extraordinary circumstances in which he would unexpectedly find himself placed: and remembering the wise and forbearing part he had

played, regardless of the wishes and entreaties of his party in 1832, Sir James was not disposed to join actively in any design to thwart him, should he decide on undertaking the task so injudiciously thrust upon him. 1834.

Meanwhile, with the sanction of the Duke of Wellington, Mr Frederick Shaw wrote to Sir James, to say "that it would be important for Sir Robert to know, at the moment of his arrival in England, where he and Lord Stanley were likely to be found." Sir James happened to be staying at Knowsley when the letter reached him. His reply was as follows:— Correspondence with Mr Shaw.

"Knowsley, 23rd November, 1834.

"My Dear Sir,

"I was most willing to communicate with you confidentially towards the close of last session, for the purpose of resisting a measure which appeared to me most objectionable, and which had caused a separation from my former colleagues.

"On the present occasion you are led by conjecture to believe that some communication will be addressed by Sir Robert Peel, when he returns to England, to Lord Stanley and to me. I have no reason to suppose that Sir Robert Peel will take this course: and at the present juncture, when a dissolution of Parliament seems to be generally expected, it is necessary both for Lord Stanley and me to remain in the immediate neighbourhood of our respective counties. I shall stay here for a fortnight, and then go to Netherby. Lord

1834. Stanley, I believe, has no intention of leaving home until the 16th of December, when he goes to Glasgow to be inaugurated as Lord Rector of that University.

"I am, with sincere regard,

"My dear sir, very faithfully yours,

"J. R. G. GRAHAM.

"Frederick Shaw, Esq."

This answer left on Mr Shaw the impression that neither of the ex-ministers entertained any idea of accepting office under the new Premier if invited to do so;* but to have refused by anticipation an offer that might never be made would have been on their part obviously absurd, and forgetful of self-respect. In connection, however, with misconceptions and misstatements put about on the subject soon afterwards, the foregoing letter is not devoid of interest.

Offer of seat in the new Cabinet.

The day after he arrived in England Sir Robert Peel sent a letter to Sir James by a King's Messenger, with directions to deliver it to no other person, and to bring back the reply. Sir James was still in Lancashire; and on the bearer of this not unexpected missive reaching Netherby, he was told that its owner was at Knowsley: and thither accordingly he deemed it necessary to retrace his way. It so happened that a party of Whig friends in the county had been asked by the Rev. W. Graham to meet his brother at dinner at Arthuret on the same day; and

* Letter from the Right Hon. Frederick Shaw, 12th July, 1862.

late in the afternoon Sir James arrived at the rectory, having in the dusk passed the Messenger on the road. It was not until the latter had got to Shap, a half-way house between Kendal and Penrith, that he became aware of the circumstance, and once more turned Northwards. Meanwhile the news spread in the secluded region of Eskdale, that a political apparition of such unwonted significance, was credibly attested as having been seen crossing the bridge of Longtown; and the guests as they assembled at the rectory had time and temptation enough to discuss, by anticipation, what might, should, or would, be the result of the ministerial message. What would Sir James do if invited to join the new Premier? And what, if he did, would the county do? After much debate, the opinion of those present was, that their Blue member could not, with safety to his seat, enter a Yellow Cabinet; and for fear of any mistake in the matter, one of the party, a gentleman of leading position and old name, was commissioned to give him a friendly warning. In what terms the intimation was conveyed we need not inquire; but Sir James, who had not yet received the so much deprecated invitation, was nettled at what he considered an unfair attempt to dictate to him beforehand how it ought to be answered. He raised his eyebrows, pursed his lips, and met his monitor's inquiring glance with a brief intimation that he had already decided. There are not many men who having com-

1834.

Questioned by County friends at Arthuret.

1834. mitted the mistake of giving an unwarrantable message, have self-possession enough to wait patiently for an explanation, difficult under the circumstances, to be given with fitness, and yet without offence. The momentum of intrusiveness is irrestrainable; and Mr ———, in the discomfort and embarrassment of the moment, as he stood face to face with the ex-minister opposite the drawing-room fire, hurriedly asked, after a brief pause, "Well, Sir James, what are you thinking of doing?" "The only thing I am thinking of doing just now," he replied with a laugh, "is of eating a good dinner, for I have been travelling all day, and I am uncommonly cold and hungry." His interrogator was about to rejoin, when dinner was announced; and it was not until a late hour that the weary courier arrived.

Refusal to join Sir R. Peel.

The offer of a seat in the new Cabinet was accompanied by the Premier, with assurances regarding his future policy, which he declared would in no wise tend to revive past differences on the subject of Reform. The offer and the manner in which it was made were equally gratifying. Sir James had not only done nothing to conciliate the chief of the Conservative party, but he had, up to this time, no personal intimacy with him. In opposition and in office he had for years been his active opponent both on legislative and administrative grounds. Yet now, at the very outset of Sir R. Peel's attempt to constitute a government, he was invited to join him in the most

flattering terms, and on conditions alike honourable to both. Sir James had however taken his resolution, and without hesitation declined. Whatever confidence he might place in the sagacity and sincerity of Sir R. Peel, he felt that the moral weight of his own secession from the Whigs on the Irish Church question would be lost in the eyes of the community, if he should thus appear to grasp at the first opportunity of returning to office, and that, in company with men against whom he had heretofore been arrayed in antagonism. Party feeling went for less with him than with many other men; but regard for the general verdict of public opinion swayed his judgment in all cases of the kind. He knew that for a statesman in this country it is not enough that he should feel he is acting faithfully to his principles; he must, if he would retain his influence, be able to satisfy others that he is doing so. He saw that great dissatisfaction prevailed at the manner in which the late Government had been overthrown; and individually he could not but condemn the proceeding. No personal breach had yet occurred between him and his late colleagues, and to many of their contemplated measures he was actually pledged. He had, till recently, shared their counsels; he still remained, with many of them, on terms of private and political friendship; and if the great question that had severed them could be settled or indefinitely adjourned, as so many other parliamentary questions had been, 1834.

1834. they might one day act together again. At all events he was persuaded that to make good his stand in defence of the Church, he must not lessen the value of the personal sacrifice he had made in relinquishing office. Sir Robert's letter was all that was calculated to win over a waverer to his cause, had there been a waverer to win. But Sir James and Lord Stanley had resolved, if asked, not to join; and having done so his annoyance can hardly be wondered at when, without consulting him, a number of his influential supporters undertook, as he said, to decide for him the course he ought to pursue.

The New Administration.

Upon the refusal of Sir James, the Home department was offered to Mr F. Shaw, who likewise declined, for reasons wholly unconnected with political considerations; and Mr Goulburn was thereupon appointed. The Duke and Lord Aberdeen were named Foreign and Colonial Secretaries of State; Lord De Grey became First Lord of the Admiralty; and Mr A. Baring, President of the Board of Trade, Lord Ripon, acting in concert with his seceding friends, refused to take office; the government of Ireland was confided to Lord Haddington, Sir E. Sugden, and Sir H. Hardinge, and the Earl of Roden was named Lord Steward. Sir Robert set forth the aims and purposes of his administration in his address to the electors of Tamworth, in which he unreservedly accepted the Reform Act, as a settlement which no friend to the peace of

the country would attempt to disturb. He prided himself on being an advocate of progress, and a reformer of all proved abuses. He reminded the country of the improvements he had effected in criminal law, and of the sacrifices he had made for religious liberty. For the rest, he was open to conviction, and only asked for a fair trial. But as he could not hope for this in the Parliament summoned by his opponents, he had recommended a dissolution. 1834.

Once more therefore it became necessary for Sir James to address the electors of Cumberland. "Having by resignation and recent refusal of office resumed that station from which they first selected him, he appealed with confidence to their judgment and support." He reminded them that within the eventful period of six years, during which he had had the honour of representing them, all those great measures had been accomplished on which their desires were fixed, and to the attainment of which his efforts were directed when first he solicited their favour. The Test and Corporation Acts had been repealed; Catholic Emancipation had been carried; Negro Slavery had been abolished; the Trade to China had been opened; the public expenditure had been effectually reduced; taxes affecting the great body of the people had been remitted; the Poor Law had been revised and amended; peace of unexampled duration had been preserved, and a full, free, and Address to Electors. 16th Dec.

1834. fair representation of the people in Parliament had been obtained and fixed by a great measure of Reform. In the same spirit which had hitherto made him a zealous advocate of peace, economy, and progress, he was still ready to go forward; but his care would still be, as it had ever been, to rebuild what required rebuilding, so that it should be in keeping with the fundamental design of the constitution.* A vague feeling of distrust began, notwithstanding, to show itself among those with whom he had been so long an idol; and as time rolled on, the cloud gathered darker and heavier, until at length no gleam remained of the popular favour in which he once had basked. Yet he certainly did nothing during the summer or autumn of 1834 to provoke censure or misgiving.

Letter to Major Aglionby.

His address did not wholly escape cavil; but no symptom of personal ill-will towards him appeared. He could not be unconscious, however, of the chill that seemed to have come over many who were once warm and zealous adherents; and the imaginative turn of the despondency that so easily beset him, peopled silence and solitude with a thousand shadows of coming trouble. A letter written on New Year's Day with reference to the approaching election, painfully bespeaks the misgivings with which he was haunted:—

* Address to Electors of Cumberland, 16th December, 1834.

"Netherby, 1st January, 1835 1835.

"My Dear Sir,

"The post of this day brings certain information of the dissolution of Parliament; and as I shall again offer myself for the honour of representing the eastern division of this county, I should in ordinary circumstances naturally apply to you, my valued friend, whose kind support and powerful assistance I have so long and so often enjoyed, to do me the favour of once again proposing me. But as I think at the present critical juncture you may require frank explanation of my past conduct and future views, before you accede to my request, I am most anxious to have a friendly conversation with you, that we may quite understand each other. I should have proposed to dine and stay all night at Nunnery in the course of this week or the next; but I fear you may be engaged, especially as the Quarter Sessions commence on Tuesday. I wish, however, so anxiously to converse with you, that I will either come to Nunnery on any day you may appoint; or, as I shall attend the sessions, we can meet and converse fully there.

"I am always with sincere regard,

"My dear Sir,

"Very faithfully your obliged

"J. R. G. Graham.

"F. Aglionby, Esq."

A conference was the result of this letter, in which Major Aglionby expressed himself satisfied, Vindication of his public conduct.

* For permission to make use of this and other letters addressed to the late Major Aglionby, I am indebted to the kindness of his daughter, Mrs C. Fetherstonhaugh, of Staffield Hall, Penrith.

1835. and he would have done as he was requested, had not the sudden illness of one of his family prevented him. The duty of nominating the ex-minister devolved upon Sir Wilfred Lawson. There being no opposition, his speech was wholly a vindication of his recent acts and motives. Both had been frequently made the subject of question in the press; under the influence, as he believed, of "the free thinking and far-going section" of the party, who did their utmost to widen the breach already made, and who in the end contributed not a little to render it irreparable. Lord Durham, by his recent declaration in favour of further reform founded upon the Ballot and Household Suffrage,* had placed himself at their head, and he was flattered by their confident predictions that he should be the next Liberal premier. Infirmities of health, temper, and purpose peculiarly unfitted him for enacting the ambitious part he had undertaken to play. His restless craving for notoriety was mistaken for disinterested sympathy with the people; and the secondary share he had had in framing and carrying the Reform Bill, was magnified into proof of the capacity to plan more democratic changes and of the resolution to execute them. In reality he had neither; but during the winter of 1834, the public were constantly assured by his busy partizans, that all that was wanting for the

* Speech at the Newcastle dinner to Earl Grey, 15th Sept., 1834.

opening of a great career was opportunity: and this it was anticipated would arise as soon as the "Tory interregnum was brought to an end," and the King was compelled to recall the Liberals to power. Ere that day came it was deemed desirable thoroughly to break up "the old set," as it was called, and to drive the seceding Whigs beyond the lines of party. No thorough-going policy would ever be adopted while they remained; and once they were gone, more room would be left in the political world, for other men to bustle in. 1835.

"When he stood last before his constituents he was a member of his Majesty's Cabinet Council; and it was fitting that he should account to them why he had ceased to be such. He had been blamed for not giving this explanation before. In his place in Parliament he had sought an opportunity of giving it, but had been disappointed; but he denied that to any man living, except his constituents, he owed such an explanation, and to them he would now afford it. He trusted they would be patient and hear him—he asked no more. He might claim perhaps some credit for the share he had had in preparing and carrying the great measure of Parliamentary Reform; he might refer, not only to pledges given to enforce economy, but to taxes actually remitted, to offices abolished, to sinecures reduced. He might refer to the part he had taken in the local affairs of the county; he might refer to the battles he had fought under the old Blue flag, even in opposition to the ties of private friendship and the wishes of his dearest relatives; he might, indeed, refer to his conduct ever since he had a seat in Parliament. But all this Speech on Hustings, 12th Jan.

1835. he would set aside. If his services were forgotten by his friends, it was useless for him to remind them of them. He was content at this moment to rest his claim to their continued support on the avowals he should make of his intentions, and of his views of the present state of affairs. He thought he had put the issue fairly; he claimed nothing for the past, and was prepared to stand by the principles he should avow with regard to the questions now pending before the country. Anonymous calumnies had been published regarding him in reviews and newspapers. He would not inquire too closely into their origin, for it might lead to discoveries which might be painful. Perhaps it might turn out that they originated with some former colleague,—with some familiar friend; into this he would not too curiously inquire; but he would at once answer the misrepresentations. It had been said that he had been introduced into the Cabinet under the patronage of Lord Durham. This was not true. He had never had a patron, for he had never been a client. He never asked a favour at the hands of any man, but upon a public hustings and from a popular constituency. He had had the honour of the acquaintance—the intimate acquaintance—of Lord Durham; but it was on terms of the most perfect equality. He had never sought a peerage at the hands of Mr Canning, the opponent of Reform, nor accepted one at those of the Duke of Wellington, its arch-enemy. He had never used his private influence with Lord Grey to procure an earldom, by way of showing his contempt for aristocracy and the House of Lords. When Lord Grey called upon him to become a member of the Ministry, which he had been directed by the Sovereign to form, he had but a very slight acquaintance with that nobleman. Lord Grey had been

pleased to say that considering his (Sir James's) station as the representative of an independent county, and his position in Parliament, it would be of advantage to the country if he would enter into the service of his Majesty. He had replied that if his services could be of any benefit to the country, he would leave his appointment to the discretion of the noble Lord; but he asked no office, he made no stipulation. Unasked by him, Earl Grey had placed under his direction one of the highest and most important offices in the empire. What he had done in that office he would not remind them, for, as he had already said, he stood not there that day to claim anything for the past. This brought him to the point where explanation had been required. They might imagine how much he felt in separating from the Cabinet of Earl Grey. There never had been in this country a Cabinet more united upon all questions—there never had been a Cabinet in which more mutual confidence existed than that to which he had had the honour to belong for three years and a half — there was but one fatal subject of difference, and that was the Irish Church. They were aware that Mr Ward had proposed certain resolutions, which embodied the sort of reform which was contemplated for the abuses of the Irish Church. The first was that the State had the right to settle the distribution of ecclesiastical property. To this, as an abstract proposition, he had no objection to make. The second went further,—that the revenues of the Irish Church were larger than were required by her spiritual wants. To this he could not assent without involving himself in the inference drawn, that such surplus should be applied to secular purposes. Upon this point he differed from his colleagues. In the original scheme of Irish Church

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1835. Reform, as brought in by Lord Althorpe, he had agreed: but he could not go further. He complained of the commission of Public Instruction in Ireland which had been since issued by Earl Grey. The object of that commission was to ascertain the number of Catholics and Protestants in every parish. He protested against this. The existence of the Established Church should never, by his consent, be tested by the rule of three. It was not on that principle that their Church had been reformed. No; the minority of the reformers established the Protestant faith on the ruins of the Catholic, which was professed by the majority. He could not reconcile it with his sense of duty, to agree to the alienation of any portion of the property devoted to religious uses, to secular objects. He had cordially supported the claims of the Catholics to equality of civil rights; but when they demanded the subversion of the institutions whereby the national religion was maintained, then he felt that he had no choice but to refuse such a concession. He regarded the preservation of a national Church as essential to that of limited monarchy, and of the well-ordered liberty under which they had the happiness to live. Other forms of government some might prefer, but he must stand by that which alone he knew, and of that the Establishment was an essential part. That was not the place to discuss the abstract question of a Church Establishment; but if there was to be a national Establishment, this at least was essential to its very existence—that each person within a certain limit should have the privilege of worshipping God in the church of the religion of the State. He had already denied that he had entered the Cabinet under the influence of Lord Durham; but another calumny had been put forth respecting him, namely, that he had left it under the guidance of Lord

Stanley. A single fact was worth a thousand anonymous assertions; and he would state a fact which would show that their representative stood in as proud a station, and had acted as independent a part, as he who boasted of drawing his title from the most ancient stock in England. He certainly possessed the friendship of that noble lord, whom he looked upon as a man of great abilities, pure character, and sound principles. The fact was this. They would, doubtless, all remember the case of Baron Smith, one of the Irish judges, whose conduct was brought before Parliament by Mr O'Connell. The Cabinet agreed to oppose the motion; and when ministers came down to the House, by some slight alteration in its wording, which did not affect its principle, they were induced to turn round and support it. In the number was Lord Stanley. He (Sir James) alone of the Cabinet spoke and voted against the motion; and next morning he tendered his resignation to Earl Grey. In that he stood alone; he alone would have left the Cabinet, without a patron, without disgrace, without dishonour, and without my Lord Stanley. Eventually the Ministry all came round to his view of the case, and were obliged to negative what they had supported. He would now direct their attention to another subject. He had recently had an offer from Sir Robert Peel to join the Ministry which had just been formed: that offer he had rejected. He had rejected it in the first place, because he believed that sudden coalitions of the kind proposed could lead to no good end; because he believed whenever they had been tried they had done more harm to the characters of public men than almost any other thing could do; because they shook public confidence, and public opinion was decidedly opposed to them. And in this

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1835. he was inclined to think public opinion was right. He rejected the offer, in the second place, on the general ground of public duty, for he could not think he would have been acting right, that he would have been discharging his duty to his country, or showing that proper regard which he considered due to his own character, if, because he differed from his late colleagues upon one point, he had hastily plunged into opposition to them on all subjects, with men against whom he had struggled during the whole of his political life. Such conduct would have been inconsistent with private feeling; and it could not have advanced the public good, to have thus associated himself with men to whom he had ever before been opposed. But here again he had to complain of anonymous calumny. He held in his hand a paragraph which had appeared in a London paper, and had since been copied into the provincial prints. The paragraph said this: 'Had Sir James joined the Duke's Ministry, he would have been cast out from the representation of Cumberland beyond all doubt, and this he knew.' Now the implication here was, that he (Sir James) had acted in this affair under the influence of a threat that he should be deprived of his seat for Cumberland. But great as was his respect for those whom he had so long called his constituents, and whom he soon hoped to call so again, he must take leave to say, and he did so boldly and fearlessly, that no threat of the kind alluded to in that paragraph would have had the effect of altering his resolution, if he had thought his connecting himself with the Government would have been of advantage to the public service. The paragraph went on to say —'before a messenger arrived to invite him to join the Duke's Ministry, it is understood a deputation had waited upon him to assure him that if he supported that Ministry

Complaint of anonymous calumnies.

there would immediately be another candidate started in opposition to him.' Now he (Sir James) never had had any communication from any individual, either of the aristocracy or yeomanry, conveying to him any such intimation as there set forth, until the evening of the day he received the communication from Sir R. Peel, and then he saw one gentleman on the subject. That gentleman it would be improper for him to name, but he was then upon the hustings, and he could correct him if he stated anything wrong. The messenger from Sir R. Peel had arrived at his residence before he saw the gentleman to whom he alluded; when he did see him, he certainly was told by him that if he (Sir James) joined Sir R. Peel, a candidate would be set up in opposition to him. But it was too late, for he had made up his mind on the subject previously. The electors knew in what way his mind had been made up. It so happened that he could afford the most sceptical conclusive proof that he had acted under no fear—no intimidation. He had in his pocket a letter written and shown by him several days previously to Mr Hornby, the chairman of quarter sessions in Lancashire, in which his reasons for not joining the Ministry of Sir R. Peel, should such an offer be made him, were stated at length. This was on the 6th of December. Sir R. Peel did not arrive in England until the 9th, and the communication written to him the same day, he did not receive until the evening of the 11th. This was his answer to the insinuation that he had acted from a fear of losing his seat for East Cumberland. Well but then, it had been asked—had he any confidence in Sir R. Peel's Ministry? The best answer he could give to that question was his refusal to join it: and he must add this, that in his opinion its composition was in many

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1835. respects as bad as it could be, for it was mainly composed of men whose lives had been spent in opposing liberal measures and in upholding bad laws. He must, however, frankly tell those who cheered that sentiment, that if, contrary to his expectations, just and beneficial measures should be proposed by the newly-appointed ministers, no consideration should induce him to thwart or oppose them. He had never done so in times past, and he certainly would not do so in the time to come. He would judge of the intentions of Sir Robert Peel and his colleagues by the general tenor of their policy: when their measures were good, he would vote for them; when they were bad, he would unhesitatingly resist them. The great principle of an Established Church was that there should be a resident minister in every parish, who should have a sufficient income. There ought to be no pluralists, unless the livings were small and contiguous; but then there was this difficulty in the way at starting, that although the revenues of the Irish Church were said to be redundant, this was not the case with the English Church. But this he was prepared to say, that he was ready to take from those who had too much for doing little, and give it to those who had too little for doing much. The services of the Cathedrals it might be proper to maintain, but the sinecures of the Cathedrals were indefensible. The twelve golden stalls of Durham were, to say the least of them, useless; the deaneries held by bishops were entirely indefensible. These were the blots that disfigured the Establishment and disheartened its friends: these were the nuisances that must be abated without loss of time, if they would preserve the fabric from ruin. He would diminish the number of prebends to augment the incomes of small livings. The translation of bishops he thought bad,

and he would put an end to it. The incomes of some of the bishops were also too large, and though he would not say that he would make them all alike, he certainly was prepared to say, that he would make them approximate to something like equality. The tenures of church property he would also alter. Nothing could be worse than the system of arbitrary fines, for renewing church leases, and these he would commute for a fixed and certain tenure. For reform in the Church he was as anxious as any man he saw before him; but he would set about it in the spirit of an attached friend, for he believed it was a Church which preached the true gospel to the poor, and was maintained out of the property of the rich, for the benefit of all. Some might say no, but he was prepared to maintain that it was so. The tithe question, for instance, was entirely a landlord's question. He would take an illustration from his own property. That property lay in two parishes; he compounded with the parson for his life, and let his estate tithe free. Every inhabitant in those parishes had a right to attend the church free of all cost. But suppose such a scheme as that proposed for settling the tithe in Ireland were to be applied to England, what would be the consequence? Why, that he as a landlord would become some hundreds a year richer, the parson so much poorer, and as to the inhabitants of the parishes, not one farthing difference would it make to them. This fact alone was sufficient to show them that the Church was maintained by the rich for the benefit and advantage of all. Notwithstanding what he had said however about the tithe question being one peculiarly affecting landlords, he was a most strenuous advocate for a settlement of it, for the sake of peace, for the advantage of religion; he was most anxious for a commutation on liberal principles. To a fair deduction 1835.

1835. from the nominal amount he thought the parsons ought to submit; the landlords would indeed be entitled to some remission in consideration of the ease and certainty of collection. To one part of the tithes now claimed, he thought the Church had no fair title—he meant to a growing tithe arising from the increase of capital applied in improvements. This he would stop at once as most unreasonable and unjust. He had not lost his faith in the principle of Reform in civil institutions or in ecclesiastical. He wished to see that principle applied to municipal corporations, and he hoped ere long it would be so. As a member of the late administration, he had concurred in the issuing of a commission to inquire into corporate abuses, and he hoped to see a liberal and wise measure of reconstruction founded upon the report of the Commissioners. He was prepared to put an end to all exclusive and self-elected bodies, and to restore in cities and boroughs the ancient right of local self-government, based upon the payment of rates and taxes, and upon continuous residence. His attachment to the Church did not blind him to the grievances complained of by Dissenters. He had in the last session voted for the removal of those that were most loudly complained of, and he was prepared to do so again. He wished to see the advantages of education shared equally by Nonconformists and churchmen. He wished to see every cause for discontent on the marriage question removed, and he was anxious that provision should be made for the fabric and the service of the Church without having resort to the collection of a parochial rate. If they returned him again as their representative, greater attachment to their interests, greater attention to his duties he could not promise; but he would endeavour to make it his boast that he had exceeded

their expectations, rather than fallen short of them. The representation of his native county had been the earliest and highest object of his ambition; and it would indeed have been a source of deep mortification and pain to him if, in again asking their suffrages, he had found that he had done anything to forfeit that esteem which had hitherto procured him their confidence. If such however had been the case, he certainly should not, as had been insinuated, have skulked into Parliament under the wing of some new friend or old opponent in the Western division. The electors of East Cumberland should have had a full opportunity of recording their opinions and of showing to what degree he had forfeited their confidence. He was aware that the great measure of Reform passed in 1832 entitled—ay, and would insure to the people, all those changes which they might deem necessary. He who planted the tree knew well the fruit it would bear. But let the people be cautious how they proceeded; let them take care that no germ of a noxious kind was ingrafted on that stem, lest when they came to gather the fruit, and sought for grapes, they might find wild grapes; for then it would be too late to exclaim, "an enemy hath done this." The Reform Bill was a lever by which all beneficial changes and good government might be effected, but it was also a fulcrum by which the best institutions of the country might be overthrown. It was like fire—in the hands of the honest artisan a purifying, softening, and creative element, but in the hand of the incendiary, a consuming and destructive flame. 1835.

The new Parliament gave Sir R. Peel a great accession of strength, chiefly at the expense of the Whigs. The Seceders kept their seats, the Radi- Balance of Parties.

1835. cals held their ground, and the Irish Liberals and Repealers, now acting in concert, numbered more than seventy votes. Without their aid the Opposition could hope to effect nothing; by help of it they hoped to expel their antagonists from power. Concerted action became therefore a necessity, and was speedily agreed on. Ministers on the other hand could not exist a week without the assistance of Lord Stanley and Sir J. Graham. Each side reproached the other with the sin of unnatural alliance and combination, and each repudiated the impure motives implied in the charge. Government proposed to replace Mr Manners Sutton in the Speaker's chair, while the Opposition nominated Mr Abercromby. It was the first trial of strength, and the occasion was an exciting one. The House was so crowded that many members were unable to obtain seats. Upon a division, 306 votes were given for Mr Manners Sutton, including those of Lord Stanley, Sir J. Graham, Lord George Bentinck, Mr P. H. Fleetwood, Lord George Lennox, Sir George Sinclair, Mr Emerson Tennent, and Sir J. Eardley Wilmot. In addition to these, we find the names of as many more, who, though voting with the Conservatives on this particular occasion, had generally supported Lord Grey's Administration, and several of whom were strongly attached to the Liberal party. Three hundred and sixteen

Election of Speaker.

voted for Mr Abercromby. The next point of conflict was raised by Lord Morpeth's amendment to the Address, censuring the dissolution as tending to interrupt the further progress of reform, especially that of Municipal Corporations in England and that of the Church in Ireland. Lord Stanley declared that he had no confidence in the Administration as then constituted, and that being anxious to see the principle of Reform applied to various institutions of the country which required it, and especially to municipal corporations, he regretted the omission of any pledge on that subject in the speech from the Throne. But on behalf of himself and his friends he declined to adopt the terms of the amendment, as needlessly and prematurely censuring the undeclared policy of the new Government, and as calculated to precipitate its overthrow. In the course of the debate which ensued, pointed reference was made by Mr Gisborne to Sir J. Graham's speech at the election for Cumberland, in which he had condemned the materials whereof the existing Government was composed, and asserted that they were men whose past lives had been spent in promoting bad government and opposing good. Sir James did not immediately notice the allusion; but the expressions cited were too trenchant and telling to be suffered to fall to the ground, and Mr T. Duncombe was determined, as he said, "to draw him," by recapitulat-

1835. Lord Morpeth's amendment on Address.

1835. ing his condemnatory words with comments the most provoking.

Reply to Mr Duncombe.

Sir James rose to reply. He had not meant, he said, to take any part in the discussion, but when thus individually challenged, he would not shrink from maintaining his opinion, however distasteful it might be to gentlemen on either side of the House. It having been his misfortune towards the close of last Session, from a painful sense of duty on a question of principle, to separate himself for the time from those with whom he had acted ever since he took a part in public affairs, it was necessary that he should explicitly state to his constituents what had been the motives of his past conduct, and what were the principles by which he should regulate his conduct in the present Session. He need not tell the House, that having for many years uniformly acted as a party man, having felt during that time the strongest personal attachments, and never having deviated from party consistency, revering as he did many gentlemen he saw opposite occupying the bench where he used to sit, it was impossible to find terms wherewith adequately to express the pain with which he had separated from them. He agreed with Lord Howick with respect to his Majesty's present Government, and with him he was bound to declare that in the head of that Government he had much greater confidence than in any other member of the Administration. Entertaining then the opinions which on that and on other occasions he had frankly avowed, there would obviously be great inconsistency in his voting for the amendment of the noble lord. The question of Corporate Reform divided itself naturally into two parts—the one relating to the application of trust property, the

other to the mode of appointment of those by whom the affairs of the several corporations were conducted. The former he admitted was a question of considerable nicety, but on the other nothing would have been easier than for his Majesty's Ministers to have stated their views at once in a manner short, clear, and perspicuous. At present the governing bodies in the corporations were self-elected; the people desired that the mode of their election should be popular; and as the public mind was evidently made up on that subject, it became with him, in reference to this point at all events, a matter of entire indifference who were and who were not the Ministers of the Crown, for whoever might be Ministers, a removal from our municipal corporations of the vice of self-election was, in his opinion, a matter fully and completely decided. It was his misfortune not to have been able to place confidence in the Administration of Lord Melbourne; the present Government had made large and ample promises of liberal measures; and in one point of view he would maintain that they posesssed greater facilities, and more extended means of carrying such measures into full effect, than any Ministry the formation of which he could now contemplate. It was the duty of the Administration to produce their measures; but was it not in fairness the duty of the House to abstain from striking without hearing them? and would it not be still more unjust to strike for the purpose of preventing their being heard? Now he wished to put the promises of the Ministry to the test. If they proved to be a Government acting upon principles such as he could conscientiously support, no personal considerations should induce him to withhold that support; and in the strongest terms did he now, as formerly, protest against a factious oppo- 1835.

1835. sition. He declared his determination, and by that he would abide, to put the present Ministers on their trial, and that he was disposed to do without favour or affection. [Mr Gisborne said that the words of the right hon. baronet which he had quoted were these—'That in his (Sir J. Graham's) opinion, the present Administration was composed of the very worst possible materials—of men who had spent their entire lives in promoting bad government, and opposing good.] What he had intended to say was, that the Government was now formed of men to whom, and to whose measures, he had all his life been opposed; that in such an Administration he certainly could not place confidence; but that not seeing his way to the formation of a better, he was resolved to resist any factious motion, the tendency of which might be to displace such an Administration as was then formed. Such were the sentiments he expressed in Cumberland; and by those he was prepared to abide. He wished to give the most direct contradiction possible to a rumour which had been recently set afloat. The propagation of such rumours might form part of the new tactics of Opposition: such might be the tactics of an Opposition, which he could not otherwise describe than as a Babel Opposition in which he heard the many tongues—the discordant language of the new and old Whig, of the Moderate and the Ultra, of the Radical and the Repealer. If other motives were wanting, the mere existence of such a coalition would induce him to declare that he was not prepared to unite with such opponents of such an Administration. But to return to the rumours of which he had been speaking. Those seeds when once sown, often rose and spread to a formidable extent. They might be cast by the way-side, but they nevertheless occasionally germinated, and

even produced fruit; he was, therefore, anxious in the most positive manner to deny that, directly or indirectly, he, or any gentleman included within that section of the House, had entered into any communication with his Majesty's Government.* 1835.

It was in reply to these observations that Mr O'Connell quoted the lines of Canning as best describing the position occupied by that section of the House to which Sir J. Graham belonged, and over which Lord Stanley presided. "It is not a party, that he denies; it is not a faction, that would be a harsher term. What is it then that— The Derby Dilly.

'— Down thy hill, romantic Ashburne, glides?
The Derby Dilly carrying six insides.'"

No political *soubriquet* ever stuck more closely, and few ever more effectually served their purpose than that which the ludicrous application of the foregoing couplet supplied.

The small band thus designated held together during the conflicts that subsequently ensued; but their insulation from both sides was rendered more palpable to the naked eye of the public at large; and there is reason to believe that some whose sympathies at first were strongly with them, shrunk from taking a course which seemed to involve the absolute renunciation of all party ties. Independent and inquisitive constituencies were not likely to be easily satisfied. There are no cross benches in the

* Hansard, Commons, 26th February, 1835.

1835. House of Commons; and the maintenance with honour or credit of a midway position between the "Ins and the Outs" has ever been the most difficult, and has generally proved the most futile, task undertaken by honourable and ambitious men. Lord Stanley and Sir J. Graham were not unconscious of this; although the more than usual intimacy which existed between them, and the complete identity of their views, by rendering them more than ordinarily independent of aid from others in debate, contributed perhaps in some degree to make them indifferent to the hostile action of opinion regarding them.

16th March. Navy Estimates. When the Navy estimates for 1835 were brought forward by Lord Ashley, it appeared that not only had all the administrative changes in the department during the last four years been adopted by the Tory Government, but that the reductions of expenditure which had been most censured by the Duke of Wellington, Sir George Clerk, and others, were now confirmed, and even carried somewhat further. It was an occasion of allowable triumph to the ex-First Lord. He could not refrain from recalling the terms of condemnation in which the Duke had criticized his administration of the department in 1832; and which were now at length repudiated and answered by the acts and recommendations of his Grace and his colleagues. He had been particularly condemned for cutting down the stock of timber purchased for shipbuilding, to £400,000; but he was happy to find that

even this sum was now thought considerably in excess of what was needful. He had been gravely rebuked for sweeping away the Victualling and Navy Boards by gentlemen now in office; yet not a word was said intimating regret at their extinction, far less was any hint given of any design for reconstructing them. It was thus confessed that the naval service of the country, far from being crippled by unwise economy, had been left by him in 1834, in a state of efficiency as complete as when a more lavish expenditure had been maintained as indispensable.* 1835.

During the recess, he had given most careful and anxious attention to the project for the registration of merchant seamen, and for limiting the practice of impressment, which he had been unable to carry beyond committee in the previous year. Pursuant to an early notice, he proceeded on the 17th March to re-introduce his measures with certain modifications and improvements, the result, he said, of more mature reflection. The Bill for Registration of all men and boys serving in the mercantile marine would restore the old practice, which had fallen into desuetude, of written contracts between the masters of trading vessels and the individuals who composed their crews. He had reason to believe that the men often suffered severely from the absence of written agreements; he would therefore render such contracts compulsory. On the other hand, he would 17th March. Registration of Seamen.

* Hansard, Debates, 16th March, 1835.

1835. afford certain facilities not then existing, for the enforcement of such agreements on the part of owners or masters of vessels. His next object was to prevent deserters being received on board merchant ships, and to prevent merchant seamen being enticed to desert by the crimps. He would re-enact certain laws whereby a certain number of apprentices must be employed on every merchantman, according to its tonnage. On each return from a foreign voyage, every vessel should be visited by an officer of customs, before whom the apprentices should be mustered, when, if the number was not complete, or could not be accounted for, the owner should be liable to a heavy penalty. There was also a provision to protect the seaman against being left by the wilful act of the master of the ship, in a foreign country. British consuls in all parts of the world were continually sending home complaints on this head; and it had long been felt that some enactment was required to remedy the evil. The provisions of the bill of 1834, respecting registration, had encountered much opposition from the ship-owners. They had made a suggestion however, of which he had now availed himself, whereby the obligatory clause would be rendered less onerous, and he trusted more generally acceptable. He now proposed that a half-yearly return of the hands on board each ship should be furnished by the master. These returns,

if punctually made, would constitute a tolerably complete register of merchant seamen. 1835.

With a view to the limitation of impressment, he had proposed another bill which, while it did not meddle with the King's prerogative of calling for the service of all sea-faring men in case of emergency, was founded upon the principle that it was the duty of Parliament to obviate by all practicable expedients the necessity for having recourse to impressment even in time of war. He confessed that he formerly had entertained an idea that if all merchant seamen were registered, the ballot might be used with them as it was with landsmen for the militia. But further reflection had satisfied him that the analogy failed in the most essential particulars. In the one case the supply was practically unlimited, while the demand was comparatively small; in the other, the demand was large compared with the available number from which it was to be supplied. Two-thirds of the men whose names would appear on the general register would be afloat when they were wanted; and the whole pressure would consequently fall upon the minority who happened to be at home. He had therefore abandoned this notion as inadmissible. He proposed instead, that on the outbreak of war, a certain time should be given for voluntary enlistment in the King's service; that all who should so volunteer should receive a bounty of £10, instead of £5, the

Bill to do away with impressment.

1835. amount paid in the last war. They should likewise be entitled to count every year served in war as two years of compulsory service with respect to their claim for pensions: and if at the end of five years (when in any case they could claim their discharge) they chose to enlist again, they should receive a second bounty. Provision was likewise made whereby men who had earned their pensions should, if they remained in the service, receive both their wages and their pension. He had found that the contrary rule drove out of the navy many useful and experienced men, and he was satisfied the change would work most beneficially. In the last resort, whenever impressment was used, no man should be compelled to serve more than five years; and at the end of that period he should never again be liable to be called on.

Statement of Mr A. Baring.

The President of the Board of Trade said, "He was glad the right hon. baronet had undertaken to bring this subject under the consideration of the House. He was sure that no member could have brought it forward with a greater certainty of obtaining the confidence of the House and the Government, and consequently with a better prospect of making the measure effective and beneficial. He (Mr A. Baring) hoped that all the benefit would be derived from it which these circumstances promised. He was sure that there was no person old enough to remember the history of the last war, who must not see

that it would be impossible for this country, in the event of another naval war, with the present habits and feelings of the people, to repeat the mode of manning our navy which was practised at former periods. Every man must feel this impossibility, not only on account of the great abhorrence with which the system of impressment was regarded, but because the first gun that was fired must involve us in a war with that country, with which, of all others, it was most desirable that we should remain at peace, —he meant the United States of America; for it was impossible to expect that any nation, possessing a feeling of independence, or having a character at stake, would submit to the measures that were resorted to with so much rigour during the last war. This was, therefore, not a question of speculation, but a question which it was of importance that the country should look in the face, and it certainly was desirable that whatever changes were expedient, should be made in a period of profound peace. Amongst the many obligations which the country owed to the right hon. baronet for the services rendered by him in the department of which he had had the administration, there was none equal to what would be due to him, if he could succeed in producing a bill acceptable to all parties interested. Of course the details of the measure would have to be looked to by the various departments with which such subjects were connected, particularly

1835.

Case of war with the United States.

1835. the Admiralty, and that upon which the duty of taking care of the interests of the merchant seamen devolved." *

A great deal of discussion arose in Committee on the bill. Sir James fought it inch by inch, with little help from others, and eventually carried almost every clause as it had been originally framed by him. The plan was an experiment, and in some respects was not found in practice to answer the expectations formed of it. But the moral effect of such legislation ought not to be overlooked. It was the first effectual blow dealt in our time at the system of impressment, and it undoubtedly prepared the way for its total abrogation.

Sir R. Peel's Policy.

The energy and capacity shown by Sir Robert Peel in the rapid preparation of the measures of practical improvement, which he brought forward during his brief tenure of office, tended much to raise him individually in public estimation; and had he been given more time for the gradual development of his elastic policy, he would probably have conciliated to his Government a considerable amount of additional support. His plan for the more equable distribution of ecclesiastical revenues in England and Wales, and his bill for the regulation of Dissenters' marriages, met with general approval: and his attempt to reform ecclesiastical courts failed, only because it was too good to suc-

* Hansard, Debates, 17th March, 1835.

ceed against the combination of vested abuses it would have swept away. His refusal to grant a charter to the London University left him indeed in a damaging minority of 115 to 230, and the rumour of his intention to send the Marquis of Londonderry as Ambassador to St Petersburg, provoked on the 13th March a motion by Mr Sheil, condemnatory of the appointment. Lord Stanley on behalf of the Seceders intimated their concurrence in this disapproval. The resolution was not indeed pressed to a division; but a few days afterwards the noble lord stated in his place in the Peers that he had declined the distinction intended for him. It was not by defeat on questions of this kind, however, that the Conservative Administration was to be driven from power. It was upon that more memorable issue, which all parties at the time concurred in investing with a degree of importance, which eventually proved to have been greatly exaggerated, and yet on which more than any other, Ministers could count upon the zealous support of the schismatic Whigs. The decisive struggle began upon the 30th March, when Lord John Russell proposed that the House should go into Committee on the temporalities of the Irish Church, for the purpose of considering how far they were superfluous for the spiritual wants of the Anglican communion, and legitimately applicable to the civil necessities of the entire people. Sir James spoke early in the debate.

1835.

Resolutions regarding the Irish Church.

1835. It was the first time he had in Parliament taken any part in the absorbing controversy, and his speech betrays the painful conflict of emotions whereby his mind was swayed. Impelled by the deep current of his convictions regarding the paramount utility and need of an Establishment, to which he clung through every vicissitude of political life, he sought to take the highest ground of argument for his favourite principle, and to throw the whole weight of his character and ability into its defence. He was resolved not to mince matters, nor to leave room for doubt, or opening for compromise on the subject; and all who listened to him, felt that, as far as in him lay, he had done so. Yet when he had flung away the scabbard, the glittering blade of party warfare trembled in his hand, as though he could not bring himself as yet to raise it against those from whom he had so lately parted. There was no concealment of his mortification and regret at the political estrangement which this question had caused. It had been to him, he said, a "fatal question." Derisive cheers and laughter followed the expression; he was stung by the interruption, and for the moment lost his temper, but quickly recovered himself and resumed his elaborate train of reasoning. Again and again, however, he recurred to old Whig ties and old Whig principles, conceding the best and highest motives to the leaders of the Opposition, while he mercilessly dealt with the inconsistencies and incompatibilities

of opinion among certain of their notable and powerful followers. With a sort of reckless candour he laid bare the reluctance he had felt in taking the course he had done, and the bitterness of his regret at seeing no room left for compromise upon "a question which had suspended and blighted—he hoped had not destroyed—some of his earliest friendships,—which had driven him from power, and might yet drive him from Parliament;" but which he owned was one of vital moment, and one whose decision could not be delayed. 1835.

No Government could be formed under existing circumstances with credit to itself, or with safety to the country, which was not founded on the basis of an entire agreement with respect to the Established Church of Ireland, and on a fixed determination, explicitly avowed, of the policy to be pursued with regard to it. He stated this frankly, and he owned that the principal support which he had given to the existing Administration, rested on the declaration made by Sir R. Peel, of his intention to resist the application of Ecclesiastical Revenues to secular purposes. Without going the length of contending that no distinction could be shown between the indefeasibility of corporate and of private property, he argued that the general security of both would be shaken, if at the popular bidding, Parliament were to alienate corporate funds for the relief of general taxation in any portion of the empire. The advocates of such alienation were not agreed among themselves as to the objects of appropriation. Some were for an increase of secular instruction, some for hospitals, asylums, and other institutions for the benefit of Speech on Appropriation.

1835. the poor; and Mr O'Connell had offered the amount to the landlords of Ireland in partial relief from county cess. The only point of accord seemed to be that so much revenue should be taken from the Church, and the only reason assigned was, that in many parishes its members were numerically inconsiderable. Paley had been cited by Lord J. Russell in support of the doctrine that "the religion of the majority ought to be the established religion of the land;" but the question was, what was the religion of the majority of the nation? His answer was, that as long as the Union continued, the Protestant religion must be held to be the religion of the majority. Paley laid it down that a parochial ministry was the essential condition of an Establishment. If this principle were discarded, one of two things must happen; if the State did not interfere and all creeds were alike neglected by law, there would be no established religion; or the question must be determined independently of the Legislature by local majorities; and the power which was denied to the supreme representative body, must be variously exercised by different portions of the community forming local majorities. Sooner than admit this doctrine of local proportion, which he considered so dangerous in its tendency, he should prefer to see the Articles of Union between the two countries reconsidered, and the Catholic recognized as the established religion of Ireland. He could understand the object of such a course, and could appreciate the value of the argument to change the established religion for the sake of peace. Such an object was worth almost any sacrifice by which it could be procured. But the change proposed by the noble lord would be a very great sacrifice of principle, without the slightest hope of procuring peace. He could not conceive that the

noble lord would propose to withdraw more than one-fourth of the Protestant pastors from Ireland, and the remaining three-fourths would be maintained in the midst of the people of that country. In only one-fourth of Ireland, according to this proposition, would the appropriation of tithe be changed. And what would be the effect of this healing measure, as it was mis-called? The amount of the reduction, it was proposed, should be paid to a certain Board in Dublin; in three-fourths of Ireland, tithes would be raised and appropriated, as at present: would the remaining fourth, from which the ministers were withdrawn, derive much satisfaction, when instead of paying money to clergymen residing among them, and spending their incomes on the spot, they paid the full amount to an Education Board in Dublin, and took their chance of what might be returned to them as a dole for a school-house and a schoolmaster? If peace, then, was their object, he warned them that it was perfectly useless to expect it from the present proposition. They might waive a great principle, but they would not obtain their object. It would be much more straightforward and much more statesman-like to bring before Parliament the question of the Union of the two Churches, and to say,—it is expedient for the interests of the country, and for the interests of religion, that the Union of the two Churches be dissolved, and that the Catholic religion be recognized as the established religion of Ireland. That would be an intelligible, if not a statesman-like course; but the surrender of a great principle, in the name of peace, without the hope of obtaining it, was unworthy of the character of a deliberative assembly. He could not agree that the principle of local proportion should be applied to the Irish branch of the United Church, because he foresaw that if thus 1835.

1835. sanctioned it would sooner or later be invoked as applicable in England also. Lord J. Russell professed himself to be a supporter of the Establishment, and he (Sir J. Graham) believed him to be thoroughly sincere; but what did the chief promoters of this alteration say? A motion had been made in the previous Session to exclude the Bishops from their seats in the House of Lords. When he found that that motion was supported by many of those who would, no doubt, support the motion of his noble friend, and amongst others, by a member of his Majesty's late Government, he owned that he did not feel disposed to place much reliance on the profession of friendly feelings towards the Establishment, when made by some of the supporters of his noble friend on that occasion.

Many intimations had likewise been given that efforts were about to be made to substitute the voluntary principle for the existing connection between Church and State; and all these things combined indicated subversive intentions not to be mistaken. Such changes had not the merit of novelty. They had occurred before, and were speedily followed by the suppression of the House of Lords and the overthrow of monarchy itself. They all knew the sequel. After a brief experience of the system of rule thus inaugurated, the nation, wearied and disgusted with civil strife, "fled for refuge to the throne;" and, deserting their former leaders, laid property, liberty, and life, at the feet of the exiled Stuarts. The history of these events had been written for our learning, he trusted not in vain. The property of the Church, like all trust property, had been set apart for particular uses. What were those uses? The property of the Church had been granted for the maintenance and propagation of the Protestant religion.

(Cries of no, no.) Was that denied? Farewell then, to the Protestant Church as by law established! But he would contend that such was its ostensible and undoubted object, and from that object he would not consent that it should be diverted. 1835.

The opponents of the Establishment had wisely selected for their present point of attack that portion which was situated in the midst of a Catholic population greatly outnumbering its members; but it must be recollected that the principle at issue was the key of the position of the Church Establishment; and if they permitted such an encroachment as this, the result would be that the Protestant religion would not only soon cease to be the established religion of Ireland, but a principle would be incidentally introduced, fatal to the Protestant Establishment in this country also. Once admit the doctrine of local proportion, and the most signal consequences would inevitably follow: once admit the principle, and they must of necessity extend it to England; and thereby the existence of the Established Church would be not only endangered, but ultimately destroyed. On the score of social expediency he contended that the great evil of Ireland being the absence of its landed gentry, the residence in each parish of an educated gentleman, whose income of necessity must be spent therein, and whose conduct was likely to serve as an example to others, was an instrument of good government that ought not to be neglected. The utility of such residents in the remoter parts of the country had been admitted by Mr O'Connell himself, when examined as a witness before a committee in 1825; and Mr O'Connell, Dr Doyle, and others, had then disclaimed all unfriendly feeling to the Established Church. He would recite from memory Hooker's well-known praise of what he termed the politic

1835. use of religion, "whereby men are more effectually than by positive laws restrained from doing evil."

It might be said that in the course he was then pursuing, he was deviating from those principles upon which he had acted since his entrance into public life, and in which he hoped and still flattered himself—though hon. members might sneer at the declaration—that he would persevere until its termination. What were those principles? He spoke in the presence of many distinguished members of the Whig party; in the presence of a Russell, a name famed for the support of those noble principles, not more of liberty than of the Protestant religion, and if he might venture to define Whig principles as he embraced them, he should say that they consisted in the assertion of the utmost liberty of thought and of action in all matters, whether of politics or of religion, consistent with law, order, and constituted authority. (An ironical cheer from Mr O'Connell was accompanied with a gesture which he deemed discourteous: he paused a moment, and then added bitterly),—Consistent with these principles could be indeed no death's-head-and-cross-bones denunciation of the free exercise of the elective franchise; "no prayer of mercy limited to heaven, but denied on earth, to the unhappy Catholic, who should dare to vote for a Conservative candidate." In the vote he was about to give, he owned that he was influenced by religious feelings. The property of the Church, whether in England or in Ireland, had been devoted by their ancestors to the maintenance and propagation of the Protestant faith: and he would tell them that it was sacred, and ought not to be alienated to secular objects. They who ministered at the altar, should live by the altar; this decree was high as Heaven, they could not reach it; it was strong as the

Almighty, they could not overthrow it; it was lasting as the Eternal, they could not change it. It was binding upon those who heard him as Christian legislators and Christian men, and for one, there was no consideration on this earth that would induce him to compromise or abandon it.* 1835.

As an exposition of the principles he had early embraced, and which he clung to tenaciously through every vicissitude of political fortune, this speech has a peculiar significance. It was the result of long and anxious consideration, prepared with elaborate care, and spoken with more than ordinary deliberation and emphasis. Yet as a whole, it is decidedly inferior to many others both in point of argument and style. It may be, that to his own mind there was a subtle consistency in the reasonings, which to many will appear incompatible with one another; and that he could have explained satisfactorily to himself, if not to them, the paramount weight of arguments which they may not find it easy to appreciate. But he certainly failed in that simplicity of view and unity of purpose, which is the highest charm and truest test of legislative eloquence. Exquisitely poised as is the balance of many a sentence, and full of force and feeling as are several passages, in this remarkable address, they are fragmentary, insulated, and ren-

* The above is a succinct epitome, as nearly as possible in his own words, of a speech which occupied between two and three hours in delivery.

1835. dered comparatively ineffective, by the un-fused and un-fuseable mass of quotations, with which they are mingled. Too fond at all times of relying on authority, and too sanguine as to the possibility of creating an impression on the minds of his hearers, by the recitation of curiously apt or intrinsically important observations made at some other time, and for some other purpose, by some other man, his overloaded memory was frequently employed to pull the train of thought along, where his own vigorous and vivacious logic would have served much better. The rhetorical effect he was so ambitious to produce was often spoiled by this predilection for quotation; but in no instance was the fault carried to so great an excess as in that before us. Beside references to Acts of Parliament and to former debates, we find in the course of a two hours' speech citations of all sorts of testimony,—wary words from Hallam, and loose exaggerations from Hume;—earnest and devout commentaries from Hooker on the subjective worth of popular belief, and external evidences from Paley of truth as established by Act of Parliament;—long quotations from Lord Minto's speech on the union with Ireland, for which nobody who listened cared a jot; and still longer quotations from the evidence of the Catholic leaders given before the Committee of 1825, as to what the effect of Emancipation would be had it been given then, but which it was worse than useless to quote, considering how timely concession had

been refused;—opinions of Dr Doyle and of Dr McHale;—statistical passages from the report of the Irish Ecclesiastical Commission, and epistolary threatenings of agitation to come, indited from Derrynane. It must not be forgotten indeed that some of these quotations (probably the worst of them) caught as they were uttered a passing cheer, on account of some particular phrase current at the time in discussion out of doors. But in the main the instinct of the House of Commons is wise, which resents the attempt to overbear its deliberative judgment by appeals to authority. Now and then a few words of great weight tell with great force, and turn perhaps a wavering mind. But generally speaking quotations are ineffective however skilfully given, and if long or numerous they tend to distract rather than to fix attention. 1835.

By a great and growing section of the community which hitherto no mere "hoop of party" bound together, this speech was received with infinite satisfaction. In their eyes its defects were as nought; its trenchant and telling arguments, coming as they did from one hitherto regarded almost as an adversary, were themes of political and religious congratulation difficult to describe. But there was one whose praise, not often unreserved, gave him still greater pleasure. Lady Catherine read with emotion not easily imagined, the vehement declarations of her son in defence of the Establishment. She had

Approval of his mother.

1835. long been troubled by misgivings as to the tendency of his political connection to undermine the principles she had anxiously striven to inculcate. She looked on great place as at best a great distraction of the mind from higher thoughts, and she did not conceal her conviction that power was a temptation, and success a snare. When Sir James was named First Lord of the Admiralty she prayed that he might be guided by wisdom not his own; and when he told her that he could not help Cabinet meetings being held on Sunday, she could not disguise her grief and disapproval. The clergy whose opinions she valued most had denounced as anti-Protestant, if not anti-Christian, the Temporalities Bill whereby ten bishoprics had been swept away, and the system of National Education in Ireland which dispensed with the reading of the Scriptures as a class-book: yet to both of these he had been a party, to her infinite concern. Deep was her delight when she learned that, to use her own expression, "he and a few others had resolved at length to make a stand, and to have no further part in the destruction of the Church." She rejoiced in his abandonment of office in 1834, probably even more than she had done at his obtaining it in 1830; and of all his subsequent proceedings she approved, except perhaps his reminding the constituency of Cumberland at the election of 1835, of the share he had had in the measures above mentioned. But she knew too well the sacrifice

of feeling and ambition he had made; and she understood too clearly the character of her son, to be wholly without fear that in the fluctuations of party, some new contingency might arise in which he might be drawn again within the sphere of the influence he had recently escaped, and that, veiled in some new form, the hated Appropriation principle might possibly be accepted as a matter of state necessity. In her view, the wider the gulf fixed between the Seceders from the Whigs and their Radical allies, the better; and to find that all compromise on the question of the Church had been put an end to, by the language of him she so devotedly loved, was a satisfaction she had scarcely hoped for. What effect his speech might have on political combinations, or on his individual position with reference to them, Lady Catherine cared not to calculate. Life and its agitating dreams no longer had for her the charm they once possessed. With failing strength her communings were daily more and more with the Unseen; and the palpabilities of the world around her seemed to have branded on their fairest face, the testimony of the wise man in his weariness that "they were altogether vanity." Her own time for departing could not be far off; but ere it came, she longed to see the son of so many prayers identified with those she looked upon as the chosen champions of the truth, and to be satisfied that his course in future would be theirs. His speech went 1835.

1835. far towards giving her this assurance, and she told him that it had made her very happy.

The resolution was carried by 322 against 289.

Appropriation voted essential. A second resolution was carried by a majority of twenty-five, "that it is the opinion of this Committee, that any surplus which may remain after fully providing for the spiritual instruction of the members of the Established Church in Ireland, ought to be applied to the general education of all classes of Christians." And finally on the 7th a third resolution was carried by 285 to 258, declaring "that no measure on the subject of tithes in Ireland can lead to a satisfactory and final adjustment, which does not embody the principle contained in the foregoing resolutions." This was equivalent to a rejection of the bill of Sir H. Hardinge for converting tithes in Ireland into a rent charge, as had been proposed by the Whig bill of the previous year, but deducting twenty-five instead of twenty-two and a half per cent. from the incomes of the clergy.

Sir R. Peel resigns. To protract further the struggle would have been useless, and on the following day Sir Robert Peel resigned. The experience of the past five months confirmed him in the conviction, that Conservatism had already struck wide and deep root in the new electoral body, though its unripe fruit was not worth any further effort at official gathering. He told his followers at a dinner given him at Merchant Tailors' Hall that they must not thenceforth rely on

privilege and prerogative, but on those tendencies and 1835.
feelings of the middle classes, which had already given him a minority in the House of Commons so large, as almost to balance the majority still claimed by his rivals. His hope of constructing a party capable of permanently retaining power, lay in the combination of the new wealth and intelligence of the mercantile order with the old influences of land and birth. He was himself one of the new men, and he sought to pique the pride of his class by reminding them, that it had been made the theme of taunt by some of his opponents, "that the king had sent for the son of a cotton-spinner to Rome, to make him Prime Minister of England." The future battle for power must be fought at the hustings, and it must be won in a reformed House of Commons, but if they would register and bide their time, their time would speedily come. In a certain sense his words proved true. But in the sense in which his hearers understood them, his promises remained long unrealised. The Whigs were recalled; and in defiance of the Court, the Church, three fourths of the Peers, and a minority of three hundred in the House of Commons, they continued to hold office during the remainder of the reign.

CHAPTER II.

CHANGE OF SIDES.

1835—1837.

1835. ALTHOUGH the alienation of the Seceders from their old political friends had been palpably widened in the exciting struggle of the first half of the session, the position they wished to be understood as holding was one of independence of both parties. When the new Parliament met in February, they had, irrespective of the official changes that had occurred in the recess, resumed the seats they had previously occupied, and when their former colleagues returned to the Treasury Bench, Lord Stanley, Sir J. Graham, and their friends continued to sit below the gangway.

Reform of Municipal Corporations.

Municipal Reform was a corollary from that of Parliament. The Seceders had approved of the Commission of Inquiry into the abuses existing in the close corporations, and they blamed Sir R. Peel for declining to bring in a bill founded upon its

report. The restored Whigs lost no time in preparing 1835.
a measure on the subject, which was read a second time without a division. It abolished all existing municipal authorities, and erected in all cities and boroughs of England and Wales (London alone excepted), Town Councils, to be elected by householders paying rates, and being resident previously for a period of three years. The rights and franchises of freemen were to be altogether swept away, and as in the original scheme of new parliamentary suffrage, one uniform test of electoral qualification was to be established, the chief difference being, that rating and continuous residence were made the basis, instead of a rent of £10 a year. Sir W. Follett moved an amendment preserving the privileges of freemen, both existing and inchoate, upon the ground that the retention of their right of voting for representatives in the Legislature, was one of the conditions on which the Reform Act had been ultimately agreed to, and that within three years, they ought not by a side wind to try and get rid of so important a part of the compromise. The Attorney-General (Sir J. Campbell) denounced the freemen as a notoriously worthless and venal class, whom it was wrong to retain as a part of the electoral body, and whose local exemptions and preferences it would be equally useful to abrogate. For both reasons the existence of freemen had better be brought to an end. Sir R. Peel severely rebuked the indiscriminate denunciation of a large class of

1835. the community, who, time immemorial, had been recognized as an essential part of the constituencies of the kingdom. Poverty did not of necessity imply venality; and against instances of corruption which had been cited, he would point to the reports of committees which proved, as in the cases of Stafford and Liverpool, bribery quite as prevalent among £10 householders.

Sir J. Graham objected likewise to the clause. He reminded ministers that the retention of the electoral privileges of the freemen was part of the compact of 1832, and he thought it would be unwise prematurely to disturb it, especially by indirect means. He was bound in candour to admit that it was with reluctance he had consented to the change effected in the Reform Bill; but the arrangement having been made, it ought to be preserved as a sort of national compact. He did not mean to say that the arrangement could, beyond a certain extent, be permanently binding on the legislature; but he would say to those who had been his colleagues in the Government of Earl Grey, beware; if you are desirous of resisting further change adhere to the compact, which you honourably acquiesced in, because it smoothed the passage of a great measure which it would otherwise have been difficult if not impossible to carry.

Lord J. Russell said he was amused at the alarm of his right hon. friend, whenever of late any one

gave utterance to anticipations of further reforms; 1835.
and he thought that when Sir J. Graham had concurred in the Bill of 1832, and aided zealously in promoting it, he could hardly have foreseen or forecast the consequences which, like Municipal Reform, were its inevitable effects.

Sir James replied with temper, that though his advice had been rejected as unwelcome by his noble friend, he in return would not deny that so highly did he value his counsel, and so long had he been accustomed to act in concert with him, that even when advice came in the form of reproof, he would not take it ill. He would remind his noble friend, however, that no one of their former colleagues had contended more zealously for the passing of the Reform Bill than he had done. And if his caution surprised Lord J. Russell, he must say that the boldness of his noble friend in taking up new measures and new principles equally astonished him.

Lord Stanley defended the course taken by Sir James; and said that the great body of the freemen of England did not deserve the indiscriminate contempt and vituperation, in which the Attorney-General and others had indulged regarding them.

On a division the clause was retained by a majority of forty-six votes in a full house.*

It will be seen that up to this period there was

* Hansard, Debate in Committee, 23rd June, 1835.

1835. no desire on the part of Sir James to make the political severance that had occurred, a cause of personal alienation. Nevertheless as the debates in the Committee upon the measure proceeded, the tone of all parties waxed more and more warm; and the irritation displayed against him and his friends, found daily more bitter expression, when they were seen to support amendments proposed by the Conservatives, and to accept their aid in return for those which they themselves moved. Divisions at the time were taken in conformity with the words of old usage, "the Ayes to the right, the Noes to the left:" members consequently had to cross the floor in order to vote with the party on whose side they did not sit; and to recross it to regain their seats when the division was over. Upon the Seceders returning to their places, after voting with the Opposition, they were tauntingly cheered by the section who would fain have had them depart altogether; but the sentiment which sought this singular mode of utterance, did not seem to be generally entertained, and no particular notice was taken of the circumstance. On the 30th June, however, two amendments were moved, the one by Sir R. Peel, for the introduction of a certain amount of rateable qualification for members of Town Councils; and the other by Lord Stanley, the object of which was to provide that one third of these bodies should be re-elected at the end of every alternate, instead of every succeeding year: his aim being, as

he explained, to diminish the frequency of local elections, and to impart greater steadiness to the action of municipal government. These amendments were defeated respectively by a considerable majority, as every previous amendment had been; and it is difficult to say why the occasion should have been marked by any peculiar excitement. But though the immediate cause has been forgotten, the incidents of that summer evening were destined to be long remembered. 1835.

When the numbers were announced on the second division, Sir James and his friends were about to cross the House to their usual seats when a cry of "Stay! stay!" arose from one or two voices on the ministerial side, which drew forth a loud and protracted cheer. Lord Stanley, having been teller, resumed his accustomed seat below the gangway; but Sir James, stung by the insulting tone of the discourteous and disorderly ebullition of feeling, with a defiant and disdainful look, remained on the Opposition side. There were not a few of those with whom he had for many years sat and voted, who heard the provoking shout, and saw the resentful gesture, with wise and generous regret. To them it seemed mere madness, wantonly to drive such a man out of the ranks in which he had held so conspicuous a place, and which never stood more in need of the experience and ability possessed by him. They had heard him but a week before go

Remarkable scene. 30th June.

1835. out of his way to show deference and respect to their new leader in the Commons; and no mischief-making exaggeration could distort the unpopular votes he had given, into the abjuration of the general principles professed by the bulk of the Liberals in Parliament. They thought he erred in suffering himself to be thus palpably bullied into a change of sides even for the hour. If he must leave them, they had rather he did so deliberately and at his own time, than in heat and resentment, and at the bidding of those who hated him. But it might after all mean nothing; and when he had slept on it his temper would cool and his calmer judgment resume its sway: to-morrow might see him once more amongst them. In other breasts far different thoughts were already brooding. With them it was matter of exultation that "the Dilly" had got to the other side of the road, and they only wished it might stay there. They read with delight the comments next day of more than one of the journals, on the extraordinary scene in the House of Commons. The article in the *Morning Chronicle*, which was perhaps the most hostile, and which called on the electors of Cumberland to expel Sir James from the representation, was ascribed by him to a well-known friend of Lord Durham. In private some communications took place with reference to what had occurred; but no public disclaimer being made by any member of the Government, the Secéders came to the

conclusion that an open breach was inevitable, and upon re-entering the House they ranged themselves accordingly on the left of the speaker's chair. 1835.

Seceders in opposition.

The controversy regarding the Corporation Bill continued. By one of its provisions the magistrates of boroughs were in future to be nominated by vote of the majority of the Town Council. This was objected to by Sir R. Peel as unconstitutional, inasmuch as the administration of justice in all cases ought to derive its sanction from the Crown. On a subsequent clause which proposed to vest in the Town Councils the power of granting licenses for the sale of beer, Sir J. Graham moved as an amendment, that the power should be conferred on the magistrates of the town, concurrently with those of the county in which it lay. It would be equally anomalous and inexpedient to give such a power to assemblies chosen in accordance with the strong local or political feeling of the day, and which, however well they might fulfil their appropriate functions, were peculiarly ill qualified for impartial adjudication in cases of the kind. In smaller towns the jurisdiction of the county justices was to remain as before; there would therefore be no homogeneity between the two systems of licensing under the bill. The amendment was negatived by a majority of 45. Before the bill left the Commons, a clause was introduced preserving the right of existing freemen to vote at elections. In the Lords, the remaining portion of Sir W. Follett's

1835. suggestion formed the subject of a separate amendment, which after some debate was carried by Lord Lyndhurst. It was decided that borough magistrates, like those of the counties, should be appointed by the Crown. The principle contended for respecting licenses by Sir J. Graham was likewise adopted eventually, and thus on the most important points of difference between him and the authors of the bill, his opinion ultimately prevailed. Many will be disposed to doubt whether the rival propositions in either case were worthy to form part of permanent legislation. The electoral privileges of freemen, unrestricted by continued residence, are notoriously abused wherever they continue to exist. On the other hand it is difficult to assign any good reason why a franchise founded on industrial skill and service, should be viewed with less favour than one arising from the mere occupancy of a rated tenement, no matter how inconsiderable in value. The acquisition of a trade by apprenticeship was for centuries deemed, and justly deemed, a sound and honourable basis of claim to the exercise of political rights. When in the progress of society skilled labour became mobilized, great numbers of persons, who had served their time in one town, lived and worked in another. Only at election time they were sought for and carried back, at the expense of the candidate, to the place where they had been brought up. Undoubtedly this as a sys-

Franchise in right of skill or service.

tem worked ill, and needed to be reformed. But the 1835.
cry raised against the existence of freemen, whether by marriage, birth, or servitude, was essentially unreasonable and unjust. It was emphatically a middle class cry, stimulated unfortunately by the onesided report of the commissioners of inquiry into municipal corporations, and yielded to by the Government of the day in a degree, which cannot be remembered without regret. On the other hand no attempt was made to discriminate between what was legitimate and sound, and that which had become a mere excrescence and source of abuse. The preservation of the truly valuable element of a working man's franchise was not distinguished from the retention on the mere ground of prescriptive right, of privileges which except in name had nothing in common therewith. Freedom of a modern city by birth or marriage, irrespective of residence, was truly stigmatized as a mere perversion and usurpation of local right. But it has often been deplored since 1835 by those who were then hurried along in the tumult of party, that the opportunity was then missed of severing the good from the evil, and retaining that portion of the freemen, and that portion only, who were worthy of being retained in the borough constituencies. Equally unfortunate were the conflicting arguments and the ultimate decision come to by the legislature, regarding licenses. Few persons perhaps now would be found to advocate the proposal, that the number of

1835. alehouses and the individuals to be permitted to keep them, should be determined by the vote of a majority of the town council. But as few (of those at least who have had experience in borough elections) will be found to aver, that the joint jurisdiction conferred upon county and borough magistrates is free from grave objection. From one end of the kingdom to the other, the complaint is incessantly heard, that personal and political partiality is shown by majorities, who appear upon the bench on licensing day, but who are seldom seen on any other. In many instances such complaints may doubtless be unfounded. But as a matter of fact it is beyond dispute, that the imputation of injustice in this particular widely prevails, among all classes of the community, and the fact of such a popular belief regarding men, otherwise respected for their public and private virtues, is a very sad and scandalous one.

A new tithe bill, embodying provisions in consonance with the principle of secularizing the surplus revenue of the Irish Church, gave rise to new debates in the Commons, in which Sir J. Graham and Lord Stanley bore a conspicuous part. They came into frequent collision with Mr O'Connell, by whom they were attacked more fiercely than ever,* their acts and motives being impugned with hardly less

* See Speech of Mr O'Connell, on Irish Church bill, Hansard, 23rd July, 1835.

vehemence by the Standard-bearer of Appropriation, Mr Ward. The Peers affirmed those portions of the measure which provided for the conversion of tithe into land-tax, and gave the landlord a bonus of 30 per cent.; but they rejected the whole of the clauses extending the objects to which Church property should be applied, by a majority of one hundred and thirty-eight, against forty-one. 1835.

Drifting with the stream.

Every day the opposite currents of opinion ran deeper and stronger; and few, if any, could help drifting with one or other stream. Lord Durham was indeed persuaded to defer his contemplated agitation for household suffrage, and to accept the embassy to St Petersburg. But a more exciting cry was raised by a more powerful voice, and for a time its echoes rang through every corner of the land. Mr O'Connell had laid aside the question of Repeal, and promised to support the new Government for the sake of the Appropriation Clause, and the Reform of Irish Corporations. Ministers obviously possessed no power of carrying either through the Upper House; whereupon he undertook to convince the nation of the necessity of a Reform of the Lords. Instead of an hereditary senate, he called on the people to insist upon having an elective one. The King might create as many peers as he pleased,—the more indeed the better, as the community would then have a greater choice; the kingdom ought to be divided into large districts, each of which should choose its peer, and

1835. the 150 best being certain to be chosen, would form, he said, a useful instead of a mischievous second chamber. Many of the more influential Liberal journals adopted the principle while they criticised the details of his scheme, and during the autumn he visited most of the great manufacturing towns, where vast assemblies met to petition in its favour. The Court was alike exasperated and alarmed, and Ministers deemed it politic to state publicly their repugnance to all ideas of the kind, and their resolve to go no further in the direction of organic change.

Reform of the Lords.

But with the experience O'Connell had had of the vanity of political wishes, and with his intense susceptibility to take for confirmation of his prophecies, the tumultuous cheers his marvellous eloquence evoked, it is not surprising that he should have only laughed at official protests against his new project, and should have continued to tell his multitudinous hearers everywhere, that whenever the wind blew high enough, the delicate voices that now seemed out of tune, would learn to sing sweetly for Peerage Reform. Some of the Whigs grew really angry: others thought it a question whether the threat of a new democratic movement might not exercise a salutary influence in favour of keeping a Liberal Government in power. One thing only was palpable, namely, that Ministers had no intention of quarrelling with Mr O'Connell; and that he had no thought of embarrassing them. Practically the sole

result seems to have been to stimulate powerfully 1835.
the growth of reaction. Some made the new agitation an apt theme of discourse to Conservative audiences; some were thoroughly frightened; and upon all who had begun to lose faith in the policy of further progress, the effect was unmistakeable. The Seceders did not disguise their dissatisfaction. The scheme of the great demagogue might be a mere chimera, to be laid aside to-morrow with as much levity as Repeal had been yesterday; but they were angry at seeing the attention given to him, and uneasy at the popularity in England he seemed to acquire. They believed in his power to lead a successful movement against the House of Lords, no more than in his ability to dissolve the Union; but contrasting his position with that wherein he stood only two years before, when a coercion bill had been carried in spite of his unavailing menaces and denunciations, they could not help feeling that to the uprise of his singular influence, their own expulsion from office was in no slight degree attributable, and that far from having spent its force, his power seemed to be still on the increase. It is easy now when the whirlwind is almost forgotten, to ask why men should have suffered themselves to be so much scared by it; and why they did not remember that it must speedily pass over their heads, leaving most things as it found them. Sir James and his friends were not wholly forgetful of this, but they thought, and not without reason, that if at

1835. bottom Mr O'Connell was really bent on any one definite purpose, like the subversion of the Church Establishment in Ireland, he would attain his end: and can any one who dispassionately surveys the ground and measures the forces then arrayed in antagonism, doubt that he might have done so?

It was under the influence of such feelings that Sir James from this period deemed it right frankly to tell those who asked his advice or opinion, that if they would save the Church or make head against O'Connellism, the old distinctions of party must be put in abeyance, and they must look to new bonds of union for mutual defence.

Approximation towards Conservatism.

"When I returned to England in the summer of 1835," says Mr Colquhoun, "my more intimate acquaintance with Sir J. Graham began. What had passed in Parliament during the interval is matter of historical record. It is material, however, to learn the state of mind in which Sir James was during that summer. Up to that period there were ostensibly three parliamentary sections,—the supporters of the Melbourne Government, the followers of Sir Robert Peel, and the small section which adhered to Lord Stanley. I remember that, wishing to ascertain what political position remained for one, who felt as I felt on public questions, I consulted Sir James Graham. His answer impressed itself on my memory. He said—whatever may be our present position, it can end only in one way, and that is in a

cordial union with Sir R. Peel and the Conservative party. One can understand however, how natural it was that he should desire that such a union should arise gradually and out of circumstances, so as to be evidently the result, not of personal ambition, but of honest agreement on public questions, and of the concert which grows out of such agreement. And here let me say, as connected with this subject, that in the many conversations on politics which I had the good fortune to enjoy with Sir James, from that time to the last months of his life, I was always greatly struck with the large and luminous view which he took of the interests of the country, and with the sagacity with which he forecast issues which were then remote. No doubt there was, if I may presume to judge a person so vastly my superior, this defect in his mind. He was always inclined in politics to look at the dark side of a question, and to take the most desponding view of contingent and possible evil. *Desperare de republica* was the character of his thoughts; and this was a great evil. It impaired his own comfort, it often paralyzed his efforts, and it gave infirmity to his counsels. He was led by it to abandon as hopeless, positions to which he was attached, and to surrender opinions which he had formed deliberately, after much thought and conviction, and which still in his heart he preferred. But this fault, unhappy in its results on his comfort and repute, and which brought on him severe

1835.

1835. reproach, was in truth unconnected with personal ambition or self-seeking. He showed, when he gave up office in 1834, that he was ready to sacrifice the ambition of his life to his sincere convictions; and his repeated refusal to take office in later years, proved that he had no undue anxiety for power."*

Reasons against fusion.

Had he been governed by motives of selfish pride or ambition, he would certainly not have desired to abandon the independent place he occupied between contending parties. For a proud and conscientious public man, who has held high office, and who on public grounds has relinquished it, no position perhaps is more congenial than that which invests every vote he gives, and every sentence he utters, with the value of a casting weight in the legislative scale. Our parliamentary history is full of instances in which men, with fewer advantages than those possessed by the Seceders of 1834, have deliberately preferred the narrow mid-way path of courageous consistency, to either of the broader tracts in which ordinary men seek sympathy and success. There were not wanting moreover prudential considerations that might well have deterred him from hastening a junction with Sir Robert Peel. He knew too much of the doubts and misgivings of his constituents, not to feel that his hold upon the county was already insecure: and he could not contemplate without mortification, the contingency

* Letter before quoted.

of his becoming one day dependent for the retention of the seat of which he was so proud, on the good will of those whom he had driven from the representation. As leaders of a separate section however small, Lord Stanley and he were not merely the observed of all observers, but they were in a condition to exercise a modifying influence over the course of Tory opposition; which they could not deceive themselves into imagining that they would be able to retain to the same extent, once they mingled in its ranks. Even with their auxiliary aid the Conservative leader had been unable to keep possession of office: without that aid he could practically accomplish nothing. If they publicly identified themselves with him, the step once taken would be irrevocable; and should they find themselves out-voted in united council, they would hardly have any choice but silent acquiescence in measures they disapproved. Of those who had shown a disposition at first to adhere to them as chiefs of an independent party, some had fallen away, others were evidently wavering, and few of these could be counted on as ready to follow them in such a course. But all these considerations gave way before the conviction that the principle, for sake of which they had quitted office and severed so many ties, was in imminent jeopardy; and that great as the sacrifices were which they had made, if others were not added, they would have been made in vain. The event proved 1835.

1836. indeed how erroneous were their calculations as to the power of resistance on the one side, and the persistency in attack on the other. As it turned out, the stability of the Church Establishment in Ireland was no more compromised than that of the House of Lords; and even if it had been, it is far from clear that the independent members for North Lancashire and East Cumberland sitting below the gangway, did not contribute as effectually to its defence as they subsequently did when they became the recognized lieutenants of Sir Robert Peel. But they thought otherwise; and thenceforth they were resolved to act accordingly.

Reform of Irish Corporations.

The first-fruits of the new alliance were not promising. The principle of municipal reform having been adopted in Scotland and England, the claim for its application in the case of Ireland was morally irresistible. The abuses there of corporate privilege and trust were confessedly as great, and the mischievous consequences of civic irresponsibility, and sectarian exclusion, were notoriously greater. The Scotch bill passed in 1833 was naturally held to be a precedent for the English bill in 1835: and an Irish bill framed in a like spirit, and seeking the attainment of similar ends, seemed to be the inevitable sequel. Of ordinary times the chronicler would be discredited were he to tell that a proposal to that effect was resisted by a large minority of one branch of a united legislature, and

by three-fourths of the other. Even now that a quarter of a century has passed, it is difficult to read the coldest narrative of what was said and done in 1836, without a certain sense of bewilderment and incredulity. We find the gravest and most cautious men joining with the rashest advocates of violent courses, in resisting all concession, and opposing all compromise. We find the gifted and sagacious leader of Conservatism, who had undertaken to build up a restored party upon the basis of enlightened and progressive views, pledging himself to a policy which the preponderance of public opinion in each and all of the three kingdoms condemned; and we find the little band of Seceders weakened and divided, from the moment their chiefs agreed to acquiesce in the unfortunate course thus taken. We find those who set up for being the especial guardians of policy founded on precedent and usage, proposing to tear up by the roots in one-third of the empire, institutions which had for many centuries existed in all: and while earnestly striving in other respects to maintain inviolate the legislative union of the three countries, bent upon establishing a broad mark of civil disqualification, and of fixing an unmistakeable brand of political inferiority upon one of the three. It was upon the whole, the most signal and lamentable, because the most gratuitous and uncompensated, error into which the subject of these memoirs ever fell; and the only extenuation that can be 1836.

1836. offered for his fault is, that he was one of the first who became conscious of it, and one of the most anxious for its retrieval. But it were vain to deny that in 1836 Sir J. Graham suffered himself to be misled by the circumstances of the moment, and by the counsels of those to whom he had recently learned to look for sympathy, into aiding and abetting opposition to a measure, which, as the event proved, was certain to pass, and which, when passed, belied in its operation every prophecy and prognostic urged as a justification for resisting it.

Lord F. Egerton's motion.

The Ministerial Bill for Ireland was founded like that for England on the Report of a Commission, which set forth the evils of the old corporations. These it proposed altogether to extinguish, and in their stead to establish municipal bodies in the principal towns, to be elected by the resident householders. Sir R. Peel announced that he did not mean to defend the continued existence of the old corporations, whose political function as garrisons of Protestant ascendancy had ceased with the passing of Catholic Emancipation: but at his instance, Lord Francis Egerton moved on going into Committee, that the bill should be divided into two parts, with the view of omitting that which went to create new municipalities.

Views of Sir James.

Sir J. Graham pressed Ministers "to say whether or not they considered Ireland fit for municipal institutions identical with those of England. If they

did, why had they consented to waive the elective nomination of sheriffs? If not, it was clear that there lurked beneath their professions of assimilation of laws, a conviction that it was not safe to legislate for both countries on the same principles, and that elective bodies in Ireland were not to be trusted by them in the same degree in which they were trusted in England. Then, with regard to the municipal franchise. The theory of the Government was, that it was necessary in legislation to proceed identically with all the three nations which formed the empire. In Scotland they had fixed the municipal qualification at £10; and in England at rating and residency for two years and a half with payment of rates, which was generally admitted to be equivalent to the same thing, yet the bill for Ireland placed the qualification at £5. Where then was the alleged identity? [Mr O'Connell here interrupted by yawning aloud.] He begged the hon. and learned gentleman's pardon, but he hoped, if he could prevent it, that he should not be subjected to so unseemly an interruption. M. de Tocqueville had said that when once the franchise began to be lowered, it was impossible to arrest the impulse thus given, until we reached universal suffrage. If then a lower franchise was conferred on Ireland, and laws were to be uniform, the consequence must speedily be a lowering of the suffrage in Scotch and English municipalities likewise. But were they not called upon to legis- 1836.

1836. late for a country whose condition was altogether anomalous, where the great mass of property belonged to one religion, and where the great mass of the population belonged to another? On the one side there was great landed property, hereditary wealth, refinement, education, luxury, the daughter of long and uninterrupted enjoyment: on the other side there was an overwhelming mass rising in intelligence and wealth, but still in its lower grades, oppressed by ignorance and poverty, stimulated by an ardent desire to acquire, which was more powerful than that to resist or retain. On the part of the property of the country there was the Protestant religion, adopted from rational conviction, or from hereditary prepossession; on the part of the population there was the Roman Catholic religion exercising its wonted influence over the heart, the conscience, and the judgment of its millions of adherents. Such a state of things existed in no other country in the world. History and experience afforded no light by which to steer. The case must therefore be dealt with specially, and in reference to the peculiar circumstances of the time. It was said that Municipal Reform worked well in England, and that it must work equally well in Ireland—that no deliberation was requisite on such a point, for what had been granted in one case must be conceded in the other. Such a proposition was most degrading to the science of Government. What were the qualities that ennobled that science? Pru-

Anomalous state of Ireland.

dence, foresight, quick perception, sound judgment, discretion in choosing between conflicting difficulties, courage in adhering to the right choice when made: he would add, magnanimity in abandoning a course which experience had proved to be erroneous. Those were the qualities which, in his humble estimation, dignified and adorned the science of Government; but on the other hand they dwindled into insignificance and must be discarded as useless, if once the position were admitted, that because a rule had in one case proved useful, it was necessary in all. Would they extend the English Poor Law to Ireland? He called on Ministers to be consistent. The doctrine that what was good in one case must of necessity be good in another, without reference to circumstances, was in medicine the doctrine of empiricism,—in politics the doctrine of pedantry and imposture. He said this without hesitation, because such had not hitherto been the principle or practice of the legislature. Why had not annual registration been applied to Ireland under the Reform Bill? Were there not distinctions made as to the mode of voting, founded on the different condition of the two countries? Conclusive proof that Government did not venture thoroughly to carry out their professions of identical legislation, was to be found in this very bill, which proposed to vest all the powers of police in Irish towns in the Crown, while in all English towns except London, they were vested in the corporations.

1836.

Empiricism of identical legislation.

1836. When the Appropriation clause had been objected to on the ground that the English and Irish Churches were one in law, they were told that the condition of the two countries was so utterly different, that the same legislation, or legislation in the same spirit, would not apply. The same observation might be made regarding the Coercion Act, which had still several years to run ere it expired, but which in even its modified form nobody thought necessary or expedient in England. All admitted the agitated, and as he thought diseased, state of society in Ireland. Great concessions had been made, and he would not if he could recall any one of them. He rejoiced to see Catholic gentlemen in that House, for he thought it the safest and best place for them to state what they or their constituents felt to be grievances. But when he was asked to go further, and told there was no standing still, and that he must either go onwards or go back, then he would ask whether that meant that he must by this bill, as Mr O'Connell had said, establish permanently 'normal schools of agitation in Ireland?' Corporations so constituted in Ireland would become schools of treason and rebellion,—the last fatal symptom preceding the overthrow of the Church, and the dissolution of the legislative Union. An hon. and learned member (Mr Sheil), on a former evening, concluded a speech of much power and splendour of eloquence, by exclaiming, 'Remember we are seven millions, and this measure we must and

Normal schools of agitation.

will have.' He must confess that this observation grated somewhat harshly on his ear, like a prelude to the mischief he most dreaded. He should be sorry to meet menace by menace, or give way to feelings of indignation, which would only provoke a corresponding repetition of such sentiments. It should be remembered that the Protestants of England and Ireland had recently strengthened their position; that in compliance with the opinion of the House and the desire of their King, they had laid aside all the signs and symbols by which they were bound together in secretly organized societies, and that they now stood firmly united in the face of day. The Protestants of the two countries were now resolved, as one man, to maintain and support the Protestant Establishment, by every constitutional means in their power, an Establishment still favoured by the law, and blessed, as he believed, by a higher sanction. But he would not repel threat by threat, nor look into the probabilities of the future. It behoved them to act a bolder and a nobler part. What he wished to do was, to secure to all classes of the community, without reference to sect or creed, perfect freedom, and the full enjoyment of their lives and properties, under equal laws, firmly and impartially administered. But regarding this bill as an unconditional surrender of important means for securing these ends, he would support the motion of his noble friend." * 1836.

* Hansard, Debate in Commons, 18th May, 1836.

1836. Mr O'Connell could not repress his delight at the mistaken policy thus evolved, which would, as he truly said, supply him with new arguments and allies. The debate was long and angry, and at its close 307 votes against 243 rejected the amendment. On party as well as imperial grounds, the condemnation implied in a majority twice as great as that which Ministers could obtain on any other question in the Commons, ought to have served as a warning to the Peers. But the exasperation caused by incessant attacks on ecclesiastical and hereditary privileges, had rendered the members of the Upper House regardless of prudential considerations; and on the second reading of the bill, Lord Lyndhurst declared that its only result would be to substitute one set of exclusive corporations for another, and to render the condition of Ireland more hopeless and ungovernable than before. The new bodies would be exclusively composed of Roman Catholics chosen under the sway of priestly intimidation. The administration of justice would be poisoned at its source; and agitation permanently kept up in these new schools of sedition would lead to the destruction of the Church, and end in the repeal of the Union, or civil war. Lord Melbourne contended that this was the language of unwarrantable exaggeration. Whether Mr O'Connell were man or devil, "spirit of health, or goblin damned,"—he was after all but mortal; and they were to make laws for future gener-

ations, as well as for those which happened to be influenced by him. The householders of cities were in truth far less liable to be swayed by clerical dictation, than the parliamentary constituencies in general, the greater portion of which were those of rural districts, or of small country towns. But even admitting the correctness of the analogy, the argument was the other way, for notwithstanding all the excitement and agitation adverted to, there were after all but thirty-six Catholic members returned for Ireland, while there were sixty-nine Protestants. 1836.

Protracted debates ensued on various clauses; but in every case Lord Lyndhurst carried his amendment by a considerable majority; until he had virtually made the bill his own, and defaced nearly all its original features. It was in vain that the Duke of Richmond attempted to effect a compromise. On the Irish Church question he still went cordially with Sir James Graham and Lord Stanley, but on the proposal to deprive Ireland of municipal rights he refused to accept with them the guidance of Sir Robert Peel. Declaring that he no longer acknowledged any party ties, and that he was desirous only of recording his independent conviction of what was best for the State, he proposed that the seven largest cities of Ireland should retain their corporate privileges and distinctions. It had been objected that the elections in those places would be virtually in the hands of one individual. Must he then bring

Proposal of the Duke of Richmond.

1836. himself to think that they were legislating solely with reference to one man? Was it fitting that the House of Lords should shape their course of legislation in a different way from what justice would dictate, because one individual happened to possess a singular degree of influence over his fellow-countrymen? If they wished to take from him the exceptional power he wielded, let them show the people of Ireland that they were willing to render them full, fair, and impartial justice. Let them not enable that individual to go into the great towns of Ireland and to say, "You, the inhabitants of Dublin, Belfast, or Cork, are treated by the Legislature that governs you, as unfit for the exercise of corporate privileges, whilst the poor fishermen of the smallest out-port of England or Scotland are considered entitled to the right of managing their own concerns." He must object to the adoption of a policy which, in his judgment, could only tend to put new weapons into the hands of agitators.*

The Alien Speech.

It was in the course of a long and elaborate reply to this wise and manly address, that Lord Lyndhurst was betrayed into using the memorable expression, that branded indelibly the policy he advocated in this matter, with want of foresight, reason, and justice; and which while it inflamed all the passions he deplored, and furnished new weapons to the foes of the Union, served to detach many from the ranks of

* Hansard, Lords, 1st Aug. 1836.

resistance to Irish Municipal Reform. One fourth of the inhabitants of Ireland, he said, were "English by descent, English in their habits, English in their usages, Protestant in their religion, and unalterably attached to English connection. If ever there was a minority standing on their own defence, it was the Protestants of Ireland. What was their position? They had to contend with a population aliens in blood, aliens in language, and aliens in religion, regarding the English as invaders, and ready to expel them on the first opportunity. Such was the state of Ireland, and in legislating for such a country, noble Lords opposite were under the necessity of giving up their own propositions, and in many respects modifying their own bill; but the measure required to be still further modified. With these considerations before their eyes, it did appear incomprehensible how noble Lords could suppose that such a country could be legislated for on the same principles as England." 1836.

It is difficult to describe the echo, which the reiteration of these fatal words found in the alienated heart of Ireland. Never probably was so much mischief wrought by one brief phrase. Men who had previously held aloof, flung themselves with passionate resentment into the stream of agitation. Conditional Repealers rose up everywhere; and those who had prognosticated the failure of a conciliating system of rule, rejoiced above measure. The mere

1836. rejection of the bill would have excited no such ferment. The prospect of popular benefit it held out, was to the many, dim and theoretical. They had not for generations known what it was to have a voice in the management of their own municipal affairs; and the political sense of the want, resulted mainly from reason and reflection in the minds of a comparative few. This indeed ought to have been the strongest of arguments in the minds of statesmen in favour of a reconstructive scheme. Lord Cottenham seemed to have apprehended clearly the great truth when he urged "that the new popular bodies, it was proposed to call into being, would tend to absorb attention, and to divert men's thoughts to local objects, from those political matters to which they would otherwise be alone directed." * But considerations like these were scoffed at, as speculative and fantastical. Detestation of the great demagogue, and a blind eagerness to curb his power, were impulses too easily moved in an assembly, like that wherein Lord Lyndhurst had no rival in the art of party stimulation; and when to these he chose to add appeals to the prejudices of race and creed, the House of Peers was ready to listen to any counsel however rash, or to cheer any taunt however fierce, he might be tempted to utter. Nothing marks, perhaps, so significantly the temper-

Reasoning of Lord Cottenham.

* Hansard, 21st April, 1836.

ature of party strife at the period in question, and the anger of the most moderate of men on the occasion, as the declaration of Lord Lansdowne on the third reading of the mutilated bill, that "he concurred in regarding it as a direct and deliberate insult to the people of what had theretofore been the sister-kingdom." It was certainly high time to pause and reconsider, when persons like the Duke of Richmond and Lord Lansdowne felt called upon to take a tone so decisive against the views of Sir R. Peel, and the language of Lord Lyndhurst. Had Lord Stanley and Sir James Graham interposed at this critical juncture with temperate advice, they would have done themselves great honour, and the country a great service. Sir James saw the opportunity, and was not indisposed at first to seize it. But he naturally shrunk from incurring the reproach of causing a split among the Conservatives, so soon after his schism from the Whigs; and finding the majority of his new allies bent on trying at any cost, whether municipal institutions could not be totally eradicated from one-third of the United Kingdom, while they were preserved in the remainder, he made up his mind to drift with the current he saw not how to stem. New provocations speedily afforded materials for raising subordinate and temporary issues, of which he was not slow in availing himself. But on the real question in dispute, he seems hardly to have tried to conceal

1836.

Declaration of Lord Lansdowne.

1836. his misgivings, and his anxiety that some middle term should be devised for coming to a settlement of the controversy.

The Lords' amendments rejected.

The Bill, as returned by the Lords, was described by Lord John Russell as no longer one answering to its original designation, but one for the total abolition of Municipal Corporations in Ireland. If the questions raised had been matters of degree or amount or detail, he should have been ready to enter upon their consideration, with a hope of coming to some agreement. But he could not consent to be a participator in depriving the people of Ireland altogether of Municipal government, and thereby inflicting on them what could not be considered otherwise than a stigma and mark of degradation. To do so would be not only to strike a fatal blow at the Union, but to inflict a wound on the system of free government itself. To all the leading amendments of the Lords, he would therefore call upon the House to disagree."*

Speech of 19th May.

Sir J. Graham "heard with regret expressions that seemed to close the door to compromise. Further concessions were demanded by the Catholic party in Ireland, under threats either of a disruption of the empire, or a fundamental change in the constitution of the House of Lords. Prince Talleyrand had said, that a Government which began a course of concession, was at last sure to make some concession,

* Hansard, 19th May, 1836.

which at the outset it had not contemplated. Parliament had made already many important concessions to Ireland for the sake of peace, but he was sorry to say without effect. When they had thus been disappointed in the results they had expected, instead of being hurried further in that downward path, never crying halt to consider the effects produced, he for one would say that the time had arrived when it was necessary to pause in so fruitless, if not so dangerous a course. (An ironical cheer from Mr Evelyn Denison.) He was not to be deterred by that cheer. He challenged his convincing speech, and cared not for his unconvincing cheer. For his part he believed that the people of England were attached to the constitution; and Reformer though he had ever been, he could not assent to the subversion of any one of its co-ordinate parts. Mr Hume had apologized for supporting Lord Melbourne's Government, on the ground that they were more radical than any other which could be found; and that as soon as their Irish measures were carried, he and his friends would take another turn. In a letter which had appeared in the morning papers of that day, Mr O'Connell had declared that without universal suffrage and an organic change in the House of Lords, justice to Ireland could not be obtained. In such a state of things he was not prepared to depart from his previous votes, unless he could be satisfied by arguments more cogent than any he had yet 1836.

1836. heard, that further concession would satisfy and conciliate those to whose demands previous concessions had apparently been made in vain."

Mr Spring Rice replied that the reason why past concessions had not produced the tranquillizing effects they might have done, was that in every instance they had been withheld as long as possible, and then only yielded with avowed reluctance. It was not past concession that produced the present evil; it was past injustice,—it was delay. The Irish people were not unconscious of benefits received: but they had been greatly disappointed that those benefits had not been followed by others to which they were equally entitled with the people of Great Britain.

After two nights' debate, 384 members, including Mr Harcourt, Mr P. H. Fleetwood, Lord G. Lennox, Mr W. Long, Mr Pusey; Mr G. Wilbraham, Mr Copeland, and Sir J. Johnstone, voted with Ministers, while only 232 voted compliance with the alterations of the Lords. Thirty-four paired, and in a House where but seven abstained from voting, a majority of 86 pronounced deliberately against the abolition of Municipal Government in Ireland.

Retiring Pension.

One of the strange perversions of fact by party virulence was that which sought to hold Sir James up to public odium as a legislative jobber, for his own personal advantage. The Act regulating the salaries and retiring pensions of Cabinet Ministers, had been introduced and carried by him, when First Lord of

the Admiralty. Lord Auckland, when named as his successor in 1834, had stipulated for a pension of £2000 a year; and on the fact becoming known, the sinister inference was forthwith drawn, that Sir James had by statute made a like provision for himself. In every particular the imputation was untrue. He had not only not taken any retiring pension whatever, but he had inserted a clause in the Act which specifically barred the claim of any retiring Minister, who, like himself, possessed independent fortune. He was, in a word, the parliamentary author of a disabling law, as regarded the class to which he himself belonged, but of a law which at the same time was meant to serve those less favoured by fortune, whose talents might raise them to eminent political rank for a season. Lord Auckland, who had previously held a sinecure of £600, and a pension of £1000 a year, bargained for a retiring allowance of £2000 a year before he would consent to resign the pension, and accept the post of First Lord. A separate and special arrangement to that effect was made for his benefit, by the Treasury; and these circumstances were tortured into grounds for a charge of personal jobbing, on the part of his predecessor, for which there was no shadow of foundation. Upon the hustings he had exposed the wantonness of the calumny, and it was repeated in Cumberland no more. But the vitality of slander is proverbial. Elsewhere the story was re-produced again and 1836.

1836. again, as if it had never been confuted; and it might have continued to accomplish its defamatory purpose, had it not fortunately imposed upon Sir Edward Codrington, who, in committee on the Navy estimates, put the question point-blank how the right hon. baronet could have brought forward a measure so favourable to the department over which he then presided, as that Lord Auckland was enabled after filling the office of First Lord for only a few months, to be secured £2000 pension for life. Sir James gladly seized the opportunity of crushing the calumny once and for all, by a few plain words which could not be gainsaid, and thus at length the lie was laid to rest.

Withdrawal from Brookes's.

Notwithstanding all that had occurred to sever the Seceders from the Whigs, many links of sympathy and association bound them to their former friends. They were still members of Brookes's, and there were precedents enough to sanction their continuing in the club, though no longer acting in unison with the general body of the party. Mr Pitt during his long tenure of power as head of the Tories, had never withdrawn his name; and in recent years, Sir James Scarlett and Lord Rosslyn had continued to be members long after their acceptance of office under the Duke of Wellington. Nor was it without much hesitation and reluctance that Sir J. Graham made up his mind to take his name out of a roll, on which it had been entered at the instance

of his earliest political friend, Lord A. Hamilton, and upon which it had remained for four-and-twenty years. But his heart was full of bitterness on account of the manner in which he had been treated by the organs and agents of the party: and no expression of regret or of repudiation had come from its chiefs. They not merely reminded him and his associates in schism on all occasions that they could do without them, which was only fair, but they seemed to make opportunities, he thought, for affecting exultation at their departure. And while they were held up to obloquy and denunciation, the "great agitator" seemed every day to be more valued and consulted. The antipathy felt towards Mr O'Connell at this time, among the upper classes of society, and the apprehensions entertained of the increase of his power in England, can hardly be described. His popularity out of doors was indeed only equalled by the passionate detestation with which he was regarded by the Court, the gentry, and nearly the whole of the professional classes. Men who gave themselves little trouble about politics were the most excitable on the subject; and many who had all their lives been the advocates of toleration and Reform, were perhaps unconsciously swayed in their renunciation of old party ties, by hostility to O'Connellism. How far the pervading sentiment may have influenced individuals in specific acts we cannot tell; but it undoubtedly contributed in no slight degree 1836.

1836. to induce several of its most distinguished members to withdraw in 1836 from Brookes's club. Amongst them were Lord Brougham, Sir F. Burdett, Lord Stanley, and Sir J. Graham.

Another and more sacred tie was this year rent asunder. From the period of his father's death, Lady Catherine had lived, sometimes at Bath, where she enjoyed the society of her friend Mrs Hannah More, but for the most part in London. Her circle of friends and acquaintances was large, and chiefly consisted of those who shared the deep Evangelical convictions she had long entertained. Though differing in some respects from the opinions of his mother, Sir James was personally intimate with many of her religious friends, and for many years belonged to the same congregation.* Lady Catherine's health from the commencement of 1836 visibly declined. Her usual buoyancy of spirits had deserted her, and she became conscious that her end drew near. Her son was more than ever constant in his attention to her, visiting her frequently, and entering with tenderness into every subject on which she happened to express a wish. He had been, as she often said, the kindest and the best of sons to her; and one of the few desires she longed to see gratified ere she quitted life was, that he should be in all respects even as

* That of which the Rev. Dr. Thorpe was the minister at the Church of the Lock Hospital; and afterwards at Belgrave Chapel.

she was, save her bonds of age and pain. On the 20th September at her house in Bryanston Square, this excellent woman sank to rest, in the 71st year of a life that had been spent in doing good. Her remains were borne to the tomb with the absence of parade which she enjoined, and which her son invariably preferred. Autumn's leaves were falling ere he returned to Netherby; and there was little in external things to divert his mind from the depressing thoughts, to which for some time he seems to have given way. In reply to a letter of condolence on Lady Catherine's death from Mr Howard, of Corby, written before leaving London, this state of feeling is painfully betrayed. "The long and constant friendship which you and Mrs Howard evinced towards my mother, was in unison with the kind feelings which connected my father's family with yours; and it was the happiness of both my parents not to survive the intimacies of their early days. To the very end of my mother's life, I heard her uniformly express in the kindest terms her warm regard for you, Mrs Howard, and every member of your family. Allow me to add, that with sincere regard I still remain," &c. &c. 1836.

The struggle of parties henceforth was waged chiefly upon Irish ground. Lord Melbourne had discarded wholly the principle of sectarian exclusion; Catholics were admitted to office in both countries, and participation in times past in political agitation, The General Association in Ireland.

1836. was declared to be no longer a bar to administrative distinction. Mr O'Connell was not slow in availing himself of the combined advantages which legislative offence and ministerial favour afforded him. He employed the winter months in organizing a new society called the General Association, which for the first time since 1829, re-united the elements of popular power in Ireland which had been dissevered by the question of Repeal, and which placed him once more at the head of an array, whose property, intelligence, and numbers, it seemed perilous, if not impossible, to disregard. The objects of the Association were set forth in terms sufficiently general to permit the adhesion of moderate men, while the utmost freedom was allowed in its debates to the strongest assertion of national and religious discontent. Municipal Reform, and the reduction of the Church Establishment to congregational limits, were its primary aims; and its versatile chief professed himself bent on loyally trying the experiment, whether Ireland could not be peacefully and prosperously governed, after all, by a united legislature. Resistance to the payment of tithes was greatly stimulated by the language used in the proceedings of the Association, and collisions between the peasantry and the authorities, whose aid was invoked by some of the clergy, ended frequently in loss of life. For the most part the attempt was abandoned in despair; and a feeling gradually began to spread among

members of the Church on both sides of the Channel, that an exclusive Establishment could no longer be maintained. The whole of the Liberal press advocated this view. In the letters of Dr Arnold, the idea is expressed without reserve. He would at once acknowledge the fact that Ireland was not a Protestant but a Catholic country, and restore to the clergy of its people those endowments which at the Reformation had been forcibly taken away from them.* Somewhat later Archbishop Whateley avowed his conviction, that if the Protestant Church was to be preserved in Ireland, its temporalities must be reduced, and redistributed on the Congregational principle, the surplus being made applicable to the educational wants of the whole community. 1837.

Session of 1837.

Such was the condition of things at the beginning of the Session of 1837, a condition which Sir J. Graham and those who thought with him, contemplated with feelings of dejection and almost of dismay. In the debates on the address many angry comments were made upon the proceedings of the General Association, and the sympathy existing between its prominent members and the Ministers of the Crown, as shown by the promotion in various instances of the former to positions of trust and emolument. Early in February the Irish Municipal Bill was again introduced in the Commons, Lord J.

* Life of the Rev. Thomas Arnold, vol. ii. Letters, 27th April and 11th May, 1836.

1837. Russell stating that to his mind it "bespoke a due appreciation of constitutional privileges rather than a lawless indifference to them, that it was not until this Bill had been rejected with insult, the General Association, of which so much had been said elsewhere, was formed. Could it be wondered at if the means of agitation which had been found successful on former occasions, had thus been resorted to again? Your oppressions,"[1] said the noble Lord, "taught them to hate;—your concessions, to brave you; you exhibited to them how scanty was the stream of your bounty, and how full the tribute of your fear. Such then is the creation of your own narrow policy. The Association is before you. And what is the remedy? Is it that this Association should be suppressed? No; the remedy is to treat Ireland as you treat England and Scotland."* A long debate ensued full of bitter recriminations; and the members for North Lancashire and East Cumberland came in for their usual share. Their identification with the Conservative party under the leadership of Sir Robert Peel was no longer doubtful. They had not joined the Carlton club, a circumstance regarded in party warfare, as of more significance than votes or speeches in opposition on the most important measure. Yet many who had treated them as waverers or malcontents, now accused them of apostasy, or cheered the taunts with which they were

* Hansard, Debate, 7th Feb., 1837.

assailed. They could not submit silently to these assaults, or refrain from retaliation, if they were to maintain their position as men of mark and might in Parliament, or in the country. The smaller the number who had followed their fortunes, the more necessary it was for them individually to show themselves ready to do battle, whensoever challenged. Both were consequently brought into personal collision with those from whom they had seceded, oftener than was desirable for their true interest or fame. But there was no help for it. Had they shunned the conflict or shrunk from giving blow for blow, they would have been lost as public men, in a storm of contumely; and they would have altogether failed to serve the cause, for sake of which they had made so many sacrifices. Between them and their Radical antagonists, the running fight was kept up without ceasing. They got no quarter, and they gave none. A like spirit showed itself gradually in their conflicts with old friends; until at last many a lingering tie of private confidence and intimacy was rent in twain. 1837.

22nd Feb. Lord F. Egerton's amendment repeated.

On going into Committee, Lord F. Egerton was again put forward to move the entire extinction of Corporations in Ireland, upon the ground that the social condition of that country would render their well-working, as popularly elective bodies, impossible. "So long as a Government happened to exist, which enjoyed the fleeting confidence of Mr O'Connell and

1837. his friends, no serious difficulty might perhaps arise. But whenever an Administration should be called to power, less fortunate in possessing his favour, and less disposed to court it, these bodies were certain to become grave impediments to the preservation of peace, and the enforcement of the law. Sheriffs would be chosen without regard to character, and permanent assemblies would be constituted exclusively of one particular creed, in obedience to the mandate of the priest and the menace of the demagogue. Nothing of the kind could be apprehended in England or Scotland, and therefore Municipal institutions need not be looked on with fear in these more tranquil realms: but in Ireland a totally different state of things existed, rendering necessary a different system of police, a different criminal law, a different system of education, and a different system of Poor Relief. Identity of other institutions did not exist, and was not so much as even recommended or promised; where then was the cogency of the argument derived from analogy? It would be better to strengthen the executive power by concentrating all executive authority in the Crown; and better to diminish the opportunities for political contention, by extinguishing every trace of local self-rule." In debate this policy, as might have been expected, was overlaid by a mass of personal and party topics, full of interest and mischief at the time,

but which it would be worse than useless to revert to here. 1837.

Sir James too clearly saw that every argument for separate systems of government in the two countries, was borrowed from the logic of Repeal, and might be fatally applied against the maintenance of the Church. He was not insensible to the growing evil and embarrassment of the position. He did not flinch on that account however, or fail to bear his part in the unavailing struggle. But with characteristic sagacity he sought to limit its duration, even at the moment when the more intractable of those around him were loudest in their vows of "No surrender." His arguments against the Irish Corporation Bill, though often barbed with pointed sarcasm, and levelled with resentful aim, were after all reasons for delay, rather than for eventual denial. His main object appears to have been to turn the demand for Municipal Reform to account, in coming to a settlement of the Church Question; and apart from the incidental topics, of which nobody was more apt to avail himself, his speeches on the subject were chiefly devoted to the demonstration of what he conceived to be the additional danger to the Establishment, which would ensue, if, while the anti-tithe war continued, a number of elective councils were created in Ireland, predominantly Catholic in their composition. A majority of eighty again declared

Sir James's view of conservative policy.

1837. against the project of municipal extinction. The clauses were sharply contested, but no important change was made, and the bill was set down for third reading before Easter. It was now plain to all clear-sighted observers, that the cause of obstruction had made no way; and among the more moderate Conservatives, symptoms of growing reluctance were manifested to perseverance in a course, that entailed nothing but odium and discomfiture. In private Sir James urged the expediency of a change of tactics, and the policy of endeavouring to make terms, while terms might yet be made. Many sensible men concurred in his view; but it was overborne by the vehemence of the more ultra section, comprising most of the Irish Conservatives. The Ultras in both Houses complained, that after acquiescing without a struggle in the repudiation of Orangeism, and in the proposal to extinguish Protestant corporations, they should be called upon to assent to the erection in any form, however modified, of municipalities wherein Catholics would have necessarily a preponderance. The seats of more than one of those who took an active part on this side of the question, were supposed to be at stake; and others felt themselves too deeply pledged to friends and followers, to give way. Moderate counsels savoured with them only of weakness and time-serving. The leaven of Whiggery was still in their new allies; and the great offence of Sir Robert Peel, though forgiven, was too recent

Differences among Conservatives.

to be forgotten. If the party was not based on Pro- 1837.
testant principles, and did not fight under the No Popery flag, there was nothing to fight for, and no longer any use in party ties. After some warm discussion, tending only to prove how speedily the party breach of 1829 might be made to gape again, the minority had to give way; and for the sake of preserving external unity, all agreed to vote as before, against the third reading. The fact of these intestine differences could not be wholly concealed; and when in debate the Whigs were taunted with the discrepant opinions of their Radical auxiliaries, whose votes were essential to their continuance in power, the Opposition were sarcastically reminded of similar differences amongst themselves.*

But while voting as had been agreed on, Sir James took care to clear himself of the imputation of opposing local self-government on any other than temporary and exceptional grounds. The danger from the measure to the Church in Ireland was the most important question to be considered. As related to his own opposition to the bill, this was the cardinal point by which he was guided. His strong objection to the proposal was that it would supply a powerful lever, whereby the destruction of the Establishment might be effected.

"He did not stand there to propose a bill of in-

* See Debate on the third reading of the Bill, 11th April, 1837.

1837. dictment against the people of Ireland. Their *prima facie* right to Municipal privileges was plain; and the onus to prove the exception rested with those who opposed the measure. It was the peculiar circumstances in which the Established Church was placed in Ireland, that were to be considered, and for one, he would distinctly say that if he could see the Church of Ireland placed in a position of greater security he should be happy, in the hope of removing any angry feeling on the part of the people of Ireland, and in the hope of removing the impression that any national insult was intended towards them,—he for one (though he could not approve of the present bill) would say that he would not oppose the erection of Municipal Institutions, if they could only satisfy him that they could be granted with safety to the Church. But if the Government again introduced a Tithe Bill with the Appropriation clause, a principle inadmissible, and which might be applied in England as well as in Ireland, in that case he could not give his vote in favour of the bill." *

The Duke of Wellington did not oppose the second reading in the Peers, but moved the postponement of its consideration in Committee, until the Government measure respecting Irish tithes should be before them. This was in effect adopting the course suggested by Sir J. Graham, for making the

* Hansard, Speech on third reading, 11th April, 1837.

concession on the one point, conditional upon the obtaining of certain terms respecting the other. It was part of the same policy to require that the enactment of a Poor Law for Ireland, should precede the creation of new franchises there, in order that a system of rating might be established, which should form the basis of electoral qualification: and the first bill making provision for the relief of the poor in that country, upon a system somewhat similar to that established in England under the New Poor Law of 1834, met with his entire approval. Ministers indeed objected warmly to the course of legislation thus adopted by the Lords, and refused to bring forward a third measure relative to Ireland, until their plan respecting Church Rates in England had been disposed of in the Commons. It provided for the better administration of episcopal and capitular estates, by means of a lay commission which should possess new powers of leasing, improving, and otherwise dealing with the same; and out of the enhanced value, it proposed that provision should be made for the maintenance and repair of churches, in exoneration of the community in general from a yearly parochial charge. The bishops, whose legislative functions were again attacked by a motion of Mr C. Lushington,* (for which a larger minority voted than when the question had previously been raised,) headed a powerful opposition to the scheme. On

1837. 13th Feb. Irish Poor Law.

* It was defeated by 197 against 92.

1837. the first division, a majority of twenty-three appeared to be in its favour; but on a subsequent stage numbers were more evenly balanced. Sir James spoke at great length, criticizing the details of Mr Spring Rice's plan, and reiterating the objections taken by Sir W. Follett, Lord Stanley, and Sir R. Peel, upon financial and legal grounds. In a very full House their arguments were overruled by a majority of only five, and the project was thereupon abandoned.*

Transmission of a new writ for Glasgow.

The closeness of the division of the 23rd of May, accounts for the more than ordinary solicitude betrayed just then on both sides, in securing additional votes. A curious illustration of this anxiety, and of the state of party feeling at the time, was afforded by the discussion of a question of privilege raised by Sir J. Graham. By the retirement of Mr Oswald, the representation of Glasgow had become vacant; and on the 17th the writ for a new election was forwarded from the Crown office to the town residence of the Lord Chancellor, to receive the great seal. Lord Cottenham happened to be at Wimbledon; and before the messenger had returned therefrom, the hour had passed for the despatch of the mails. The Secretary of the Treasury, Mr E. J. Stanley, wrote a private letter to Colonel Maberly, then Secretary of the Post-office, saying "that it was of the greatest consequence the writ for Glasgow

* Hansard, Debate in Commons, 22nd May, 1837.

should go by that night's post; so that if it did not arrive in time for the Glasgow mail, he should wish it to be forwarded by express." Half an hour after the despatch of the mail from the General Post-office, the writ was consequently forwarded by express riding post. It reached Glasgow four hours later, and the necessary proclamation was not made until the following day. No party advantage appears to have accrued in consequence; but conceiving the course to have been irregular as regarded the mode of transmission, Sir James on the 26th intimated to Mr Stanley in the House, that he was about to put a question to him in his place. The Secretary of the Treasury said, — "Will you state what the question is?" "No, I will not," was the reply; "you will hear it when I rise,"—a reply of whose scant courtesy Mr Stanley with some reason complained. But the party battle had grown hot, and little temper or forbearance was shown on either side. The specific question of fact put by the member for East Cumberland was, whether or not the writ for Glasgow had been forwarded by express under the direction of a member of the Government; and the question of privilege grounded thereon, which he sought to raise, was whether the provisions of the 53rd of Geo. III., which regulate the transmission of writs for new elections, had not thereby been infringed. Witnesses were ordered to attend at the bar on the 30th instant. The circumstances

1837.

1837. already stated were proved; and Mr Stanley produced a copy of his letter to Colonel Maberly. He entered into a full explanation of the facts of the case, admitting that the construction of the statute might be doubtful, but he cited a precedent of 1829, when a similar course had been taken under the Administration of the Duke of Wellington, with reference to the borough of Sandwich; and this served to decide the point in the judgment of the House. A sharp altercation seems to have been caused by a question put to one of the witnesses at the bar, regarding the identity of Mr Stanley's letter of the 17th with that subsequently produced, and the conduct of Sir James throughout the proceedings was severely commented on, by more than one of those who took Mr Stanley's part. Sir Robert Inglis vindicated the propriety of the question which had been asked; and maintained that the House, when acting judicially, was bound to see every document duly authenticated, which might be laid before it, irrespective of the consideration it might be disposed to show for the personal feelings of any honourable member. Sir James wholly disclaimed the imputation that he had sought to impugn the word of Mr Stanley, and disdainfully refused to enter into any vindication of his acts or motives. "His conduct was before the public, and between him and the Hon. Secretary to the Treasury, the pub-

lic must adjudicate. It was for the public to decide whether in the principles which had guided, or the incidents which had characterized, his public life, he had been influenced by private considerations of a mean or despicable character; or whether the motives by which he had been actuated, were not as pure and as fitted to win public approval, as they had already entirely secured the approbation of his own heart and conscience. With regard to the taunts which had been thrown out against his public and private character, he should only say, that they would not deter him from following that course which his own sense of honour, justice, and propriety suggested." 1837.

Accession of the Queen.

In the midst of the increasing heat and acrimony of party conflict which marked the barren session of 1837, the reign of William IV. drew to a close. For some months he had ceased to take his wonted interest in public affairs; the transaction of business became daily more irksome to him; he languidly assented to what his Ministers told him was necessary, and ceased to trouble himself about the probabilities of further political change. On the 20th of June the King died at Windsor; and on the same day both Houses met for the purpose of taking the oath of allegiance to Her Majesty Queen Victoria. On the following day Lord J. Russell appeared at the bar of the Commons, charged with a message

1837. from the Queen. A cry immediately arose of "Hats
Hats off. off," and the Speaker, forgetful for the moment of the precise usage prescribed on such occasions, announced from the chair that "Members must be uncovered." Every one present forthwith complied, with the exception of Sir J. Graham, who excited some observation by continuing to wear his hat until the first words of the message were pronounced. As nothing at the time escaped the vigilance of party criticism, a paragraph appeared the same evening in the *True Sun*, reflecting on the supposed indecorum. At the meeting of the House next day, the right hon. baronet called attention to the fact, for the purpose of explaining that he had only complied with the older, and as he thought better, custom of waiting until the initiatory word "Regina" or "Rex" was uttered, before uncovering,—a mode of testifying respect for the Crown which was more emphatic, and which had, he thought, a better effect. It was hardly necessary for him to say that he was as little wanting as any who heard him, in loyalty and devotion to his Sovereign; and that without volunteering empty professions of respect, he should be found as prompt as any man to prove his attachment to the throne, whenever fit occasion served. The Speaker said that the hon. member for East Cumberland was strictly correct in his observance of the practice of the House; and he accounted for his own apparent deviation there-

from by his desire to preserve order and to save time. 1837.

All measures likely to lead to protracted controversy were dropped, and the business of the Session was brought to a close by the end of July, preparatory to the dissolution of Parliament.

A third son was born to Sir James on the 13th of April, 1836, whose baptismal names (James Stanley) were understood to mark the mutual regard subsisting between his father and his father's most intimate friend.

CHAPTER III.

MEMBER FOR PEMBROKE.

1837—1841.

1837. Loss of seat for Cumberland.

THE course of events tended more and more to estrange the feelings of his once enthusiastic supporters in Cumberland, and he was not unaware of the degree, however he might deceive himself as to the extent, of the alienation. Many indications of disappointment and disapproval broke forth from time to time, and more than one of those who felt themselves justified in volunteering confidential advice, hinted their fears that he was losing his hold on the county. Others reminded him angrily of his Dalston vows to stand by the Blue cause in all events, and reproached him sharply with his change of sides in Parliament. The tone of these remonstrances was little calculated to shake his resolve, if indeed it were intended to do so. He complained that all the services he had rendered seemed to be suddenly forgotten, because he refused

to espouse a principle which he had never professed; and to become the ally of Mr O'Connell: and the imputation of political dishonesty, because he had sacrificed power and emolument rather than vote for what nearly one half of a reformed House of Commons regarded as unjust, he treated as a wanton insult. As member for Cumberland, he had served them well, and as they confessed, with more distinction than most of his predecessors; but if they did not choose him to be their representative, he did not choose to be their delegate; and with haughty and hot words every expostulation was repelled. It is probable that at heart he did not believe the strong politicians of Brampton spoke the general sentiments of the county; and it is certain that he ascribed to party instigation from head-quarters, the threatened assault on his local position. But his manner of encountering it tended only to exasperate discontent, and to fan the rising flame. 1837.

Opposed by Major Aglionby.

The dissolution came, and it soon appeared that a considerable section of his former political friends had made up their minds to oppose his re-election. To add to his mortification he learned that a requisition signed by 2590 electors had been addressed to Major Aglionby, one of his oldest and best supporters, and that he had consented to take the field against him. Local ties and personal attachments insured the support of many dissatisfied friends, and there were some, with whom the weight of

1837. his authority and example had told, in the fluctuations of political opinion. If all these remained staunch, and if besides he could reckon on the votes of the Conservatives, who, though a minority, were numerous and influential, he might still defeat his new antagonist, and retain the seat of which at heart he was so proud. Elements so discordant however are not easily combined; and when ostensibly combined, they are hard to be kept together during a protracted canvass. Men acting from opposite motives will readily agree at the outset to sink their differences, and to march in convergent columns upon the same point; but as their once hostile banners come in sight, and their well-known party tunes jar upon the ear, traditional distrusts spring up afresh. Each puzzled and perplexed contingent becomes tormented with the fear, that it is after all being only duped by the other; reciprocal suspicion finds vent in mutual jeer and taunt; and even though the compressive force of skilful management may succeed for the moment in averting open feud, many fall out of rank by the way, unable to endure the anomaly of their position, and when most wanted are not to be found. The heads of the Conservative party in the county offered to render all the aid they could command, and to a great extent they made good their promises. Lord Lonsdale professed to forget all that had been said and done at Carlisle in 1826, and at Cockermouth in 1831; and those who

were supposed to know his real wishes and intentions declared themselves anxious that Sir James should win. But it was not so easy to efface the recollection of his retrenchment speeches, or his votes for the abolition of ten Irish Bishoprics, or of his denunciation of Sir R. Peel's short-lived Administration. From the first, doubts prevailed as to the possibility of his retaining his seat; and while little could be ventured on by his warmest adherents to evoke anything like enthusiasm, it was impossible to dissipate the disheartening impression. A certain proportion of every constituency is swayed by the prevalent belief regarding success, and that of Cumberland in 1837 proved no exception to the rule. Some of his old political friends, mingling with many of his new adherents, accompanied him on horseback to the hustings. They wore no colours; and the absence of the blue flag under which he had so often triumphed, was noted as an evil omen. The Conservative *Patriot* argued that there was no reason why his old banner should not still be displayed, and the liberal *Journal* suggested derisively, that to make matters even between his old and his new supporters he had better "put up White" as no colour. But this was a gentle prelude to the storm of reproach and ridicule in store for him. 1837.

The popular current had fairly set in against him, and every hour it ran more deep and strong. On the day of nomination, while a long cavalcade did The contest.

1837. honour to the Reform candidates, Messrs James and Aglionby, banners bearing every device suggestive of political recusancy, were displayed in mockery of the changed position of the once popular member. When he appeared in the Court House, surrounded by men who had never before been seen combined on such an occasion, the uproar was loud; and it was not allayed when Sir Philip Musgrave, hitherto an opponent, stood forth to nominate him. Sir James in vain essayed to wear a look of indifference to the manifestation of popular anger, of which he was the object. The recollection of other days was too fresh, and his sense of the unreasoning injustice too keen. His countenance darkened with vexation, and the deep mourning he still wore for his mother, contributed to enhance the impression on all who stood by, that he was an altered man. He looked down indeed from the hustings upon the noisy and insulting crowd with that *hauteur* of expression and superciliousness of bearing which he could at will assume, and which proved so provoking to better-disciplined adversaries in a more decorous assembly. In reply to the many charges of tergiversation brought against him by the proposers and seconders of his opponents, he anxiously desired to obtain a hearing. The crowd were not disposed however to listen, and it was some time before he was permitted to proceed. "He asked as a matter of justice, that having heard the accusation they should

hear the defence. Hard names had been applied to him for the course he had felt it to be his duty to pursue; but there was one at least which his presence there had answered,—he was not a run-away: and whether or not it was their pleasure to give him a fair hearing, he was determined to give the county a fair opportunity of expressing its opinion by insisting on a poll. Nor could he be persuaded that long years of faithful and not inefficient service were so totally forgotten, as his adversaries would have them believe. He had been upbraided with the bitterness of his tone in Parliament towards his former associates; and they had had indeed a tolerable proof in the language and manner of some that day, who formerly had professed to be warm friends of his, how true it was that 1837.

> "Love once past is best forgot,
> And often turns to hate."

He thought that on more calm reflection many of the expressions which had been applied to him would be remembered with regret, by those who had used them. For himself he was content however, that the issue should be decided on public grounds alone. Mr James consistently advocated the subversion of the House of Lords and the overthrow of the Church, and he on his part was entitled to claim credit for consistency in opposing both. The real question was, whether they would return a Conservative

1837. or a Destructive Reformer, the professed friend of Mr O'Connell, or his decided adversary."

Refused a hearing.

He was proceeding, when the interruptions became so loud and continuous, as to render his words inaudible; and after waiting for a short time in the vain expectation of being heard, he retired from the hustings, charging his friends to demand a poll. In the course of the afternoon a spirited address to the electors appeared with his name, recapitulating the more prominent points in controversy. It was distributed as widely as the shortness of the time allowed, but the greater part of the constituency were never aware of its contents. Inflamed as men's passions were at the moment, it is not likely that their votes would have been changed by any arguments he could use. Nevertheless in the opinion of many who politically differed from him, the case thus put by him was not easily answerable. The constituency of East Cumberland did not share in certain of the extreme opinions of Mr James, respecting the House of Lords and the suffrage. These opinions did not indeed appear in his address; but they would probably have been extracted from him on the hustings, had his dexterous opponent persevered until he had obtained a hearing. "I do not think," says one who was present, "that there was any deliberate intention not to listen to him, and the hubbub would probably have subsided had he persisted till he was heard. I scarcely recollect

a Carlisle election when the uproar was not greater at first; and it was no doubt a mistake not to have persevered rather longer."* His old friend Mr J. Rook voted for him and Major Aglionby, and the Rev. R. Mathews, who had married the sister of the new candidate, did the same. Others followed their example, while Mr W. Halton and Mr Dobinson of Carlisle plumped for Sir James. On the other hand his brother-in-law Sir Wilfred Lawson, who had hitherto abstained from taking part in the struggle, early on the second day recorded his vote against him. He had no reason to expect his support; yet the fact, when he became aware of it, sensibly affected him, and he then began to feel that the battle was lost. A considerable number continued nevertheless to divide their votes between him and one or other of his opponents: and he was told that if the Conservatives chose they could still bring him in. 1837.

The register contained 4638 names; 3699 voted. Sir James polled 1603, and was beaten by a majority of 519. Whether the Conservatives could have turned the scale had they been unanimous in the wish to do so was a question locally debated for many a day. Some hundreds abstained altogether from voting, from feelings sufficiently explained in a letter written from Lowther Castle, a few days after the event, from which the following is an extract. "Here I am, where after my labours at Berwick, The Poll.

* Letter from P. H. Howard, Esq., 8th Sep., 1862.

1837. I came to assist your friend, Sir James Graham, and truly sorry I am all our efforts were unavailing. He had a great deal to contend against. His old party the Blues abandoned him, and the Yellows could not be brought to forget his conduct in 1831. The noble head of this House, forgetting the past, did everything in his power for him. * * * I hope to see you in a couple of days at Liverpool, when we shall have a long chat. We have, notwithstanding Ireland, done well by the dissolution. We have got 319 good men and true."* This calculation of the relative strength of parties does not differ materially from that of others at the time, which assigned to Ministers a working majority of more than 30, at the commencement of the new reign. Lord Melbourne stood high in the favour of the Court; the Whigs were full of triumph, and the spirit of their opponents was proportionably depressed.

Sir James had, more than others, reason for despondency, for he was almost the only man of note among the Conservatives who had lost his seat. He was too proud to complain, and Mr Colquhoun, who visited Netherby during the autumn, describes his demeanour as evincing no want of dignity or cheerfulness. But his mortification was deep and lasting. Many local friendships and intimacies were brought to an end by the circumstances of the contest; and

* Letter from Mr W. Holmes to J. Saunders, Esq., 18th August, 1837.

for many years he withdrew altogether from participation in county business, and in a great degree from intercourse with the society of the county. The sympathy of distant and distinguished friends in his defeat, served rather to deepen than to close the wound. He recounted again and again the years of thought and labour spent on local interests, and in earning what he had persuaded himself would be a lasting claim to popular confidence and consideration. Yet what had been his reward? To be refused a hearing in his own defence when publicly arraigned; and to be driven ignominiously from his seat, by the constituency he had contributed to call into existence, and whom he had uprightly, self-denyingly, and ably served in the legislature. "Defeat itself was not half so painful as the circumstances attending it. He had hoped that even if the constituency were resolved to dismiss him, they would at least have been pleased to listen to him,—that if they were resolved to strike, they would at all events have first heard him. He did not suppose that he should have been hunted, almost like a mad dog, through the streets of Carlisle, and that his unoffending son would be knocked down at his feet and almost trampled upon."* 1837.

It mitigated not the pain of such mortification, to be reminded, that his friend Lord Stanley had been similarly expelled from Preston, a few years before. The representation of Preston had never Similar instances.

* Speech at the Bush dinner, 4th January, 1838.

1837. been to its possessor what that of Cumberland was to him: and its loss had in Lord Stanley's case been quickly obliterated by his return for North Lancashire. Sir Robert Peel was full of bland and kind words on the occasion; and undertook to make him a convert to his favourite theory, that a man who seeks to play a great part in the House of Commons, had better be without a great constituency: he had always himself been shackled by the weight of his obligations to Oxford, and never felt so politically content as when he became member for Tamworth. Sir James felt that all such consolations had in them, for him—the inexorable extinguisher of close boroughs—a sarcastic force not the less keen because certainly not intended. Still less could he take any satisfaction in reflecting that his old contemporaries in radical days gone by, Sir Francis Burdett and Mr Hume, had simultaneously been evicted, the one from Westminster and the other from Middlesex. He turned once more to the familiar page in which Burke's earlier disappointment at Bristol was inscribed, and asked himself why it was that the words of his political master upon that occasion, had ominously fixed themselves in his imagination, and had found their way to his lips amid the racket and hubbub of his contest for Hull, and amid the festive exultation of that never-to-be-forgotten Dalston dinner? He asked himself the question as he gazed dream-

ily into the rapid waters of the Esk, or looked across the broad moors towards the setting sun: but who should find for him an answer? Who was there that could penetrate the perplexity and gloom to which more than ever he became frequently a prey? Who should cure within him the aching consciousness of ambition's vanity? 1837.

His interest gradually however revived in out-of-door pursuits; and he soon afterwards projected further agricultural improvements, whose execution occupied no inconsiderable portion of his leisure hours: for the habit of business had become second nature, and he could not lay it aside. He knew that another seat would quickly be found for him in Parliament, and if he were bereft of some degree of importance by the loss of the county, it behoved him all the more to sustain his reputation for knowledge and ability in debate. He was full of correspondence, not of the light and gossiping kind in which some public men have found it a relaxation to indulge; but either with a view to the prosecution of inquiries into subjects of importance about which he eagerly sought information, or with a view to discuss, consultatively with those whose judgment he valued, coming questions of difficulty, for which he conceived it necessary to be betimes prepared. It was in this way perhaps more than any other that he won so peculiar a place in the confidence of Sir R. Peel; and it was undoubtedly

Unabated zest for business:

1838. thereby, that he himself became by degrees impressed with the comprehensiveness and diversity of knowledge, possessed by that distinguished man. His habits of diversified reading, which, though interrupted during his term of office, had never been wholly laid aside, were now resumed; and from this period to the end of his life, he may in a certain sense be said to have read everything new, that was worth reading.

Public dinner at Carlisle.

When the excitement of the contest had passed away, not a few of those who had aided in evicting him from the representation, owned their regret at the manner in which it had been done; and many who thought he had erred in certain particulars, desired to find an opportunity for proving themselves not unmindful of past services, and for paying him a tribute of personal respect and regard. The Conservatives in the county were only too glad to turn such feelings to account; and some amongst them hoped that Sir James might be induced on some future occasion, to seek through their support a reversal of the popular sentence against him. This however, as he told them, was a thing he could never contemplate. He was ready to co-operate with them for general objects, and to contribute to their local organization if they desired it; but the constituency by whom he had been spurned he would never canvass again. The only compliment he would accept from those who disapproved

of the way in which he had been treated, was that 1838.
of a public dinner, to which he was invited on the 4th January, 1838, at Carlisle. Mr E. W. Hasel presided. Amongst those who attended were several of the old Blue party. His speech on the occasion was a vindication of his own public conduct, and a bitter invective against Lord Melbourne's Government, whose agency had been actively exerted, he said, to deprive him of his seat, and whose organs had not yet ceased to exult in his temporary exclusion from the House of Commons. "A shout of triumph had been raised in Downing Street; and all the pack of ministerial retainers had been hallooed on his traces. And after all what had been achieved? One individual had been excluded from Parliament, and a single vote had been gained. As their chairman had told them, he had raised himself from the ranks of a country gentleman. He had fallen back without complaint, and yet their mighty Government made a great display of triumph because they had succeeded in silencing the legislative voice of one individual. They had heard a good deal about the Spottiswoode conspiracy; but the Reform Club had actually advertised for subscriptions to prevent him from being elected member for East Cumberland. A former colleague sent £500 from London, and a flax merchant £1000 from Leeds:—and all this was done to effect his expulsion from East Cumberland. He confronted

1838. that opposition unaided and alone. Amidst the changes and chances of political warfare he had fought many battles in the county; he had contributed aid to others; he had never received aid of any sort himself. He had endeavoured to advocate the principles he professed, honestly and openly. He had fought battles on his own resources, and with some detriment to his private fortune, and there he stood again a plain Cumberland country gentleman. He asked—except having won his way in fair fight on the floor of the House of Commons, to the Privy Council of his Sovereign, which conferred on him a mark of temporary distinction—what had he gained? What additional hereditary honours had he sought to obtain? What pensions or emoluments had been received either by himself or his relatives? He asked whether among their patriots in office these questions could be answered in the same way? His last battle he had felt to be a debt of honour to those to whom he had been formerly opposed, but with whom then, in a great political crisis, he cordially agreed. He had been aware that the event was doubtful. He had had various offers from other constituencies, by which he felt honoured, but he had refused them. His reply was that he had an account open with Cumberland, and until it was closed he would not look elsewhere. He had been defeated; but he did not regret that the battle had been fought. He might say, in the beautiful language of

Burke, 'the past is safe and beyond the reach of fortune; the future is in better hands than ours.' 1838.

"In his first address to the county in 1828, he had pledged himself to reform abuses, while he maintained inviolate all the institutions of the country in Church and State. He would be tried by that address; and if he did not now remain as he ever had remained, the man he had professed himself in 1828, then they might justly brand him with the epithet of 'apostate.' He had been called a bigot and a renegade; but how stood the facts? Since he had been first returned for the county, Catholic Emancipation had been carried, the Test Act had been repealed, nomination boroughs had been swept away, and all the large towns were now directly represented; and then he who had voted for all these measures, was taunted with inconsistency, because he would not consent to be hurried along the downward path of revolution. But who were the men who urged on these dangerous schemes, universal suffrage, subversion of the House of Lords, and the destruction of the Church? They were the principal supporters of her Majesty's Government. They knew that without Mr O'Connell, Mr D. W. Harvey, and Mr Sheil, the Government could not in debate make head against its opponents. Yet these were the men who proposed the changes, which at the eleventh hour Lord J. Russell had told the electors of Stroud he intended to resist. But why had His early pledges.

1838. he not told them that before the dissolution? Mr Wakley said he was a friend of the Ministers because they were 'squeezable;' and Mr Harvey had said of them that there was no straw however paltry at which they would not catch. They found Lord Palmerston going out of his way to vote in Westminster for Mr Leader, who had advised Canada to throw off her allegiance; and they had heard Lord Melbourne, while admitting his Irish Church bill to be 'a heavy blow and great discouragement to Protestantism,' telling the Peers that it was a measure that had been forced upon him! There may have been more wicked Governments,—there may have been more pernicious Governments,—but he defied any one to produce from the history of the country, a more shabby Government than this. Well but then he might be told forsooth that he was denouncing his former colleagues. Oh! he owed these colleagues a large debt of gratitude! Powerful combinations however existed both in the metropolis and the provinces, to accomplish further changes, to which he was opposed. The Duke of Bedford had subscribed to an association in Dublin, formed to influence the registrations, and thereby the returns from Ireland; and other persons closely connected with the government had done the same. They must fight their adversaries with their own weapons; and much as he disliked political societies, he had consented to give his name to the Conserv-

ative Association of Cumberland, for he had made up his mind to make a bold stand with those who thought with him, that the 'crows should not be called in to peck the eagles:' and he was prepared to join with his bitterest personal enemies—he hoped he had few—against his dearest personal friends in order to uphold the sacred institutions of the country."* 1838.

Having no longer any personal views in local politics, he felt himself more free to take part in promoting the advocacy of Conservative Liberalism through the medium of the press. The proprietor of the *Carlisle Journal*, Mr Steel, had been one of his most active and able opponents; and unless the influence exercised by him through its columns were counteracted by similar means, Sir James believed that nothing in a party sense could be accomplished in that part of the country. He accordingly suggested that the joint stock of the *Carlisle Patriot* should be extended in order that its literary resources might be strengthened; and he offered to take six shares in the enlarged concern. Encouraged by his example, others did likewise; and for several years he manifested a lively interest in the conduct of the paper, corresponding frequently with those who were charged with its management. The Carlisle *Patriot*.

* The speech, of which the above can hardly be said to be even an epitome, occupied between two and three hours in delivery, and was one of the most animated, as well as one of the longest, ever delivered by him.

1838. The new Parliament.

Owing to some misunderstanding, no arrangement was effected in time to enable him to re-enter the House of Commons, during the short Session held before Christmas: but early in February a vacancy was created for him in the representation of Pembroke, by the retirement of one of the family of Owen, whose influence in the borough was undiminished by the changes occasioned by the Reform Bill.

Driven from the representation of his native county for his change of parties rather than of opinions, and compelled to seek a seat in a remote Welsh borough, it was not without a certain sense of mortification that he re-entered the House of Commons early in March. Yet he did not long remain silent. On a motion of Mr Hume to censure Lord Lichfield for appointing his relative, the hon. Mr Primrose, Cashier of the Post Office in Scotland, contrary to the alleged rules of promotion in the department, laid down by the Duke of Richmond in 1831, he took part, exonerating the Post-Master-General from blame; and while eulogizing the unselfishness of his Grace as an administrator, volunteered his opinion that the regulations he had made, were not meant to apply to cases like that in question. A sanguine cheer from the ministerial side acknowledged this unexpected compliment. It changed as if by magic the current of his thoughts, the expression of his features, and his tone of voice:

12th Mar.

he was ready to do justice to an absent friend whom he thought wrongfully accused; but he could not listen with equanimity to the cheer his words had evoked, and which sounded in his ear more like that of party self-gratulation, than of just recognition of the truth of what he had said. The fountain of bitterness overflowed within him, and in a few scathing sentences he contrived to express his old contempt for Mr Hume's "inveterate habit of finding fault with everybody and everything," and his own unmeasured hostility to the Melbourne Administration. 1838.

"He thought the hon. member for Kilkenny (Mr Hume) was usefully employed in applying his attention to subjects of this nature. And if instead of attempting dangerous flights upon questions of Colonial policy, he would be content to skim along the mud of official proceedings, he would be usefully employed. Let the hon. member give the House an opportunity to ascertain, how far her Majesty's Government had carried into effect the promise of Lord Althorpe, that the reign of patronage was at an end. If the hon. member did so, he trusted he would be able to show, that there never was a Government in England, which exercised the patronage of the Crown, with a more direct and exclusive view to the augmentation of their own political power, than the right hon. gentlemen opposite."* Government patronage.

* Hansard, 12th March, 1838.

1838. The first time he happened to precede Mr Sheil in debate, the latter *more suo* took care to remind the House of his altered representative value by an adroit appearance of mistake. "I always pay the deference it deserves, to the expression of an opinion by the right hon. baronet, the member for East Cumberland—I beg pardon, sir, the member for the borough of Pembroke, &c." Everybody laughed; the lighter-heads of the House cheered; and its more sober-minded and generous members looked courteously grave, and grew thoughtful, as the instructive retrospect of the five preceding years was conjured up by the passing sarcasm.

Irish Corporation Bill.

The Irish Corporation bill was for the third time brought in; and the Opposition, who were still ignorant of what was intended on the Church question, had to consider what course they ought to pursue. Further resistance on the old ground was manifestly hopeless. Ministers had an easier case to argue, and a larger majority secure upon this, than upon any other question; and to persist in raising it broadly year after year, was to render them an inestimable service. The damage to the party in opposition, was equally clear to all sober and moderate men. But how to get out of the legislative scrape was not so obvious. A suggestion was made that it might be possible to propound a counter-project of corporative Reform. In the new Parliament many men might be found, unpledged by past votes to

the Whig measure, who would gladly lend their aid to bring about a compromise. Framed in a conciliatory spirit, the project of the Tories would contain some points in common with the ministerial plan; and though they might be beaten on a division, the reproach of blind obstructiveness would be got rid of; and whatever might be said by opponents in debate, the country would no longer lay to their charge, the keeping alive of dangerous national distinctions. Sir Robert Peel caught eagerly at the idea; conferences were held at his residence to discuss with certain influential Irish members, the leading provisions of the contemplated bill; and when an understanding had been come to on the more important questions involved, Sir Robert undertook to reduce to writing, the substance of what had been agreed to. At the instance of Sir James, this paper was thereupon forwarded to the Duke of Wellington, with a request to have his views respecting it, as soon as might be. On a subsequent day his Grace, accompanied by Lord Aberdeen and other leading Peers, met at Whitehall Gardens the Commoners who had concurred in the counter-scheme. Sir Robert read it aloud, and then asked the Duke "would it do?" "No," said the veteran chief, "it will not do. For two years you have bid me tell the House of Lords that Ireland was unfit for corporations elected by the people of the towns; and how can I now go down and tell them that

1838.

Conferences at Whitehall Gardens.

1838. they are fit? There is another objection which is still stronger. If you are going to make any further concession, you ought to concede frankly what is required. Half measures will settle nothing, and you will only be abused by both sides. If you are afraid of corporations becoming dangerous by and by, then I say give them plenty of power. Power in its exercise is always unpopular, and they will find that out very soon. But don't leave them the excuse when they break down, of saying they were not given the proper powers." This opinion was decisive; the paper was torn up, and the project abandoned.

Appropriation Clause abandoned.

Nevertheless the triumph of the policy for which he seemed to have hitherto contended in vain, was nigh at hand. Convinced of the expediency of the course recommended by him in 1837, the Duke of Wellington had, as already noted, offered to concede the demand for popular municipalities in Ireland, if the Appropriation Clause were abandoned: and notwithstanding the indignation expressed on the occasion, Ministers had been making up their minds to accept the proffered terms. An Irish Tithe bill without the oft-contested clause was accordingly brought forward. It was a bitter dose to swallow; and in the first anxiety of Ministers to disguise the real character of what they were about to offer as a settlement, the gilding of unaltered convictions as to the value of the abstract principle was

so thick, that the Opposition professed to be mystified as to what was really intended, and resolved, as they said, to bring the matter to a summary and decisive test. Sir T. Acland moved that the resolution of the 7th April, 1835, should be formally rescinded. As a move in the game of parliamentary chess, there could not have been a more egregious blunder; for by raising another issue, it served, as nothing else could have done, to divert attention from the true one, and afforded an opportunity for renewed vows of unchanged attachment to the theory of sectarian equality, which practically was about to be abandoned. Even in the new Parliament a majority could be mustered against such an act of verbal renunciation; but this done, there was no longer any serious difficulty made, about consigning the once indispensable Appropriation Clause to oblivion. 1838.

When called on to fulfil their part of the bargain, difficulties by some of the Conservatives were raised. Sir R. Peel had, on the second reading of the Municipal Bill, repeated the assurance given by the Duke, qualifying it however by a stipulation, that the new civic franchise should be based on a rating for the relief of the poor; and in Committee he had moved amendments to that effect. Before the third reading the funeral obsequies of the Appropriation Clause had been performed; and he was then called upon to make good his promise in the spirit of it, and to abstain from further opposition. But want- Corporations in Ireland conceded.

1838. ing any clear convictions of his own on the subject, Sir Robert suffered himself to be misled into refusing, unless a franchise higher than that contained in the bill as it had been twice sanctioned by the House of Commons, were adopted. The Whigs had gone too far to recede; they had hauled down the flag under which they had driven him from office in 1835, and being now as he supposed in his power, he thought he should be able to exact from them the conditions of the compromise as he chose to explain them. Lord J. Russell scornfully refused to submit, declaring that he had been deceived: and when the bill so amended came down from the Lords, the Commons, by his advice, refused to accept it. In the following Session however several members of the Opposition refused any longer to aid in prolonging the controversy; and the power of nominating sheriffs being transferred to the Crown, the measure in other respects as contended for, ultimately passed.

Roxburgh Election.

At the recent election for Roxburghshire, scenes of tumult and violence had taken place, which caused no little scandal throughout that portion of the kingdom. The Conservatives in Cumberland sympathized naturally with their neighbours on the other side of the border, who ascribed their defeat to Whig intimidation. No lives appear to have been lost, but many persons were ill-treated by the mob. Some were deterred by the fear of ill-usage from voting; and six or seven persons were stripped of their clothes,

dragged through the town of Hawick, and finally doomed by their persecutors to be thrown into the river, a threat which, in one or two instances, was actually carried into effect. Loud complaint arose against the local magistrates for their want of adequate care beforehand for the preservation of the peace; and for the apathy with which they looked on, during the perpetration of these outrages. Government it was said, must be held accountable for having left the lives and liberties of the community in hands, which the experience of previous elections had shown to be inefficient. Lord Minto, whose brother was the successful candidate, came in for a share of the blame; but the brunt of the charge fell upon the Lord-Advocate, as the responsible adviser of the executive north of the Tweed. An election committee, after protracted inquiry, had declared the Hon. J. E. Elliot duly elected, no sufficient proof having been adduced that Mr Scott would have been returned had no intimidation prevailed. On the 24th May, Sir J. Graham brought the circumstances of the case under the notice of the House, and moved for leave to bring in a bill "to disqualify Hawick from being a polling place for the county of Roxburgh, and to enable the sheriff of that county to appoint other polling places in lieu thereof." After two nights' debate the motion was rejected by a majority of twenty-two. 1838.

The rapid progress made in the construction of railways, had rendered it necessary that measures 21st July. Mails on Railways.

1838. should be taken to provide for the transmission of the mails in future on equitable terms. No forethought had been shown by the legislature, in passing bills which virtually created gigantic monopolies of the means of transit throughout the kingdom. As between the public at large and private enterprise, it was the strangest and most anomalous change that had ever taken place in a civilized country. The right of way, which time immemorial had been recognized in the Crown for the benefit of the community, was practically surrendered to a number of private companies, professedly incorporated for the realization of their own peculiar profit. Certain rates of toll and charge were indeed inserted in the Railway Acts; and popular dependence was encouraged in the theory, that self-interest would always effectually prevent inordinate exaction. Wise and dispassionate men distrusted however the value of so vague an assurance against abuse. They knew how fickle and how foolish joint-stock judgment has often proved; and how liable joint-stock conscience is to blunder as well as sleep. They early discerned moreover how fallacious was the notion, that competition in great undertakings like railways, could furnish any effectual check upon neglect or extortion. Rival projects and competing lines there might be in name, in semblance, and in waste of national wealth; but sooner or later a common interest would inevitably dictate an accommodation of differences, and a virtual if not

an avowed combination against the public. All this was clearly foreseen by the late Mr W. Morrison, who brought in a bill in 1836 to provide for the periodical revision of charges and tolls on railways. It was likewise set forth with great perspicuity and vigour, in a report framed by the late Mr T. Drummond, Under Secretary for Ireland, with the view to avert the evils in that country, where railways had still to be made, which hasty and heedless legislation were beginning to lay up in store for England. But the advice of the sagacious merchant, and the admonition of the disinterested statesman were alike treated with disdain. Who was Mr Morrison, and what was Mr Drummond, that either should be suffered to stop the pleasantest and most exciting parliamentary game, that had been played in England for many a day? Now that a quarter of a century has passed, we may look more steadily at the scandalous transactions of the period in question, although the time perhaps has hardly yet come, when one can speak unreservedly regarding them; but it is impossible to recall without an historic blush the memory of that carnival of plunder and corruption. All limits to extortion by the owners of property through which railways were to pass, were discarded with a laugh. All scruples about using parliamentary privilege and power to exact terms, or to purchase legislative support, were laid aside. It has been of late the fashion in some quarters, to dwell with national self-satis-

1838. Views of Mr Morrison and of Mr Drummond.

1838. faction on our superiority to other communities in this respect; and generally speaking, we have reason to be proud of the character of those who are entrusted with the management of public affairs. But it can serve no good purpose to forget the iniquities of the exceptional period alluded to. The enterprise and capital of the country undertaking the construction of railways, were waylaid and robbed at Westminster day after day in Committee, and night after night in the lobby, until in self-defence they were driven to resort to means frequently as unjustifiable as those used for their oppression. The London and Birmingham Company paid £72,868 for carrying their bill, and £750,000 for land valued at but one-third of that sum.* It has been computed that English lines have on an average cost £5000 or £7000 a mile more than French, in consequence of parliamentary charges and the inordinate prices extorted for land.† No one contributed more to prevent any effective interposition by the Legislature, than Sir R. Peel. He declared himself to be in favour of letting everything find its own level, and to be against all interference by the State, in the substitution of joint stock companies' roads for the old highways. He was not very long indeed in discovering that a grievous mistake had been made; and in a debate on a bill for regulating the carriage of mails

Cost of Railways.

* Smiles, Life of George Stephenson, p. 310.

† Devy, Life of Joseph Locke, chap. xv.

on railways, 21st July, 1838, he frankly acknowledged 1838.
"the enormous error into which the House had fallen when the railroad bills were under discussion. They ought to have foreseen, when these bills were before them, that they were in fact establishing a monopoly, a monopoly in respect to which there could be no future condition. They ought to have foreseen that if the railroads were successful, other modes of internal communication would almost necessarily fall into disuse, and they ought therefore to have stipulated, as it would have been perfectly just and easy for them to have done, that certain public services should be performed at a reasonable rate." As that had not been done, they could only now fall back upon the inherent right of Parliament, to say on what terms the conveyance of troops, and the transmission of letters, should be provided for from time to time: and for this purpose they must resort to the method of arbitration, whereby the companies had been compelled to settle the terms of compensation for land, compulsorily taken from its owners. But Sir J. Graham felt strongly the injustice to which the companies had been exposed, and he moved the insertion of a declaratory clause in the bill, that the arbitrators might take into consideration the cost of construction of any particular line, as an element in calculating the charge to be made for the carriage of the mails; and he supported this view in a speech full of practical good sense and ability. Mr Labouchere,

1838. then Vice-President of the Board of Trade, preferred to leave the arbitrators wholly free; but he gave a pledge on the part of the Post Office, that no attempt would be made arbitrarily to exclude the cost of construction from the consideration of those, who might be appointed to arbitrate between the public and the companies: and Sir James, expressing his confidence in the assurance thus given by his right hon. friend, withdrew his amendment.

Lord Rector of Glasgow University.

The University of Glasgow had this year to choose a Lord Rector. The office had been filled in turn by Lord Lansdowne, Mr Jeffrey, Lord A. Hamilton, and Sir J. Mackintosh, who was chosen in opposition to Sir W. Scott. In 1824 there was a severe contest, and Mr Brougham was elected by the casting vote of his predecessor. In 1826 Mr Campbell the poet was elected, but an attempt to prolong his tenure of office for a third year was unsuccessful. In 1828 the Campbell Club was founded. Other elections followed of persons of the same political opinions, and a strong feeling was at length excited against what was considered a party monopoly. In 1834 Lord Stanley became Lord Rector, and two years later Sir R. Peel was chosen by a considerable majority over Sir John Campbell, then Attorney-General. It was at this period that the Peel Club was formed, and in anticipation of the biennial vacancy, Sir J. Graham was invited, in 1838, to become a candidate. His competitor for the honour was the Duke of Sussex,

whose love of letters and of scientific institutions had made his name deservedly popular with men of learning throughout the kingdom. The contest excited no little interest, tinged as it was from the first with deep political feeling. It was conducted with less asperity however than many of those which preceded it had been, and ended in the return of Sir James. The inaugural address of the new Lord Rector was delivered on Friday the 21st December, in the Common Hall, to a crowded audience. Sir James was warmly greeted upon his entrance. The Duke of Montrose (Chancellor of the University) presided; there were also present, the Marquis of Douglas, Dr Chalmers, Dr Mure, the Moderator of the General Assembly, Sir C. D. Ferguson, etc. His address, which was prepared with punctilious care, and which was not wanting in skilful adaptation to the tastes and feelings of the audience, hardly realized perhaps their expectations, and was in no way calculated to raise his character for didactic composition. In the main it kept the well-worn track, which so many of his distinguished predecessors had trodden, in eulogy of classic and scientific pursuits, and in admonition to economize youthful time. But these things could not be said better than they had been said before; and a lay sermon on collegiate virtue is at best hard to listen to with any outward semblance of enthusiasm. Sentence after sentence rolled musically along, tingling with exquisite

1838. Inaugural Address.

1838. quotation, and seeming to challenge from the most fastidious critic the discovery of a fault. But few attempts were made to raise a cheer, and none could be said to be successful. What the new Lord Rector might have been had he been bred to the Church, we cannot tell; but trained as he had been in the school of rhetoric, where interjaculation by the hearers forms a constant and necessary part of the performance, he had grown more dependent upon it than he was perhaps himself aware; and when it failed, he failed also. Towards the end of his address, some allusions to the National Church and the High Court of Judicature awakened a livelier response, and he was led to express with peculiar emphasis a confident hope, that as the independence of the Kirk and Court of Session had been the stipulations wisely made by the Scottish Parliament at the Union, without which they would not have consented to the measure, these institutions might ever be found cordially supporting each other, and thus illustrating the benefit of an indissoluble connection between Church and State. Whereupon, to his no small astonishment, an uproar arose, in which vehement applause was mingled with equally vehement groans; and discordant cries of disapprobation were but partially drowned by Kentish fire. The religious controversies, of whose intensity till then he had been in some degree ignorant, had, by the unlucky phrase alluded to, been suddenly awakened from their

holiday slumber; and no reference to the terms of political truce, or community of desire to show hospitality to the new chief of the University, could restrain the mingled sections of the audience from fraternal feud. There was not much of the inaugural address remaining, but what there was could with difficulty be heard, and Sir James, quickly discerning how the case stood, cut short what he had to say. 1838.

From this time the impulse given to legislation by the struggle for Reform, may be said to have ceased. Retrenchment had come to an end; and, except from Mr Hume, attempts to restrain the increase of public expenditure were heard of no more. Lord Melbourne's Government had decisively pronounced against further organic change; and the motions made from time to time by Mr Grote, Sir W. Molesworth, Mr Ward, and others, served rather to mark the difference between Ministers and a certain section of their supporters, than to indicate the existence of any real pressure from without upon them. The great body of the working classes, impatient of the neglect of their political claims by those whom they had helped to enfranchise, enrolled themselves in associations for the attainment of "the Charter," without which in its entirety they would not be content. Efforts were made to divert their attention to the Repeal of the New Poor Law, and to the shortening of the hours of Labour, by persons of Repeal of the Corn Laws.

1839. influence and station, chiefly of the Conservative party. In both objects they were opposed by the philosophic Radicals, and Economists of the advanced school, who advocated complete Free Trade, as a better means of affording increased employment, higher wages, and thereby greater comfort to the industrious masses of the community. The next three years were devoted to the discussion out of doors of these rival specifics; and they frequently formed the subject of parliamentary debate.

Early in the Session of 1839 occurred the first of the series of discussions on the Corn Law, which, though at the commencement exercising little influence over party, and exciting little interest among the mass of the people, gradually acquired more and more importance, until at length they became in national estimation paramount to those on almost every other topic. The sliding scale, as modified by Mr Huskisson, had now been in operation for eleven years, during the earlier portion of which the prices of farming produce, though subject to considerable fluctuations, had generally been so low that constant appeals were made to Parliament to relieve the pressure of agricultural distress. There had been a select committee of inquiry in 1836, of which Sir J. Graham was a member. At his instance it had abstained from making any report; and when an attempt was subsequently made by the Marquis of Chandos to obtain a repeal of the Malt-tax as a

measure of relief, he concurred in resisting it, and advised the landed interest to be content with the benefit they were likely to obtain in diminished rates under the new Poor Law. During the next two years nothing further was done; but at the beginning of 1839, trade and manufactures were depressed, the expansive tendency of exportation seemed evidently checked, and the cost of the necessaries of life was slowly but steadily rising. In this state of things, a comparatively small but intelligent and energetic party, composed chiefly of merchants and manufacturers, but including likewise not a few men of mark and worth belonging to other classes, sought to raise the question of entire and unconditional free trade. 1839.

Mr C. P. Villiers brought forward a motion that the House should go into Committee to consider the laws affecting the importation of foreign grain, which was supported by Lord Howick, Mr P. Thomson, and Lord J. Russell, and opposed by Sir R. Peel, Lord Stanley, and others. At the close of the fourth night's debate, Sir J. Graham spoke at considerable length, urging a variety of reasons against disturbing the existing law.

Retrospect of former opinions.

The landowners of England he contended were an honourable body of men—they were willing to listen to reason, they would hearken to argument, and if it was proved to them that the exclusive burdens affecting land were to be materially reduced, he did think they would be willing to consider a re-adjustment of the duties on corn. * *

1839. Reply to Mr Poulett Thomson.

But he was very much surprised by an argument of the President of the Board of Trade, that the law of 1828 was identical with the law of 1815. If ever there were two things that were opposite, if ever light differed from darkness, there were no two things more directly opposite to one another than were these two laws. What was the law of 1815? It was a law of absolute prohibition, till the price of wheat rose to 80*s*., and when it arrived at 80*s*. then there was to be unrestricted importation, and the averages were to be taken only once in three months. What, however, was the law of 1828? Importation was at all times permitted upon paying a varying rate of duty; there was no prohibition, and the averages, instead of being taken every three months, were taken every week. He remembered that in a former year, in the debate of 1834, when, being the colleague of the right hon. gentleman (Mr P. Thomson), he experienced all the advantage of this being an open question, for he received from that right hon. gentleman a most severe castigation, which he seemed rejoiced to inflict, and as though he had found one opportunity of pouring out the vials of his wrath against his colleagues. * * * He had on that occasion quoted from a work which he attributed, though erroneously, to him (Sir J. Graham); and in the present debate the right hon. gentleman had referred to a work of his in 1826. In fact, it seemed that his real and supposed works formed a literary stock in trade for the Board of Trade. The right hon. gentleman had taken the trouble to commit to memory a passage of the pamphlet of 1826; but he had so halted in the delivery, and he had so marred the quotation, both the English and the Latin, that Tacitus himself, in a society of Romans, would not have been recognized. In that work, he

(Sir James) had recommended a fixed duty on corn; he would not shrink from the avowal of it; but it was under the law of absolute prohibition then in force that he had recommended a fixed duty. That fixed duty was to be 15*s.* a-quarter, and it was to be accompanied by an entire alteration of our financial system. He had recommended that the taxes on consumption should be removed, and he had adopted that recommendation from an essay by Mr Hume,—not the hon. member for Kilkenny, but Mr Hume, the able historian and essayist; and he had further proposed to alter many of the taxes affecting land. But he could not allow that there was any inconsistency in the course he had adopted. He had supported Mr Huskisson in 1821, and Mr Canning in 1827, when he brought forward a fluctuating scale of duty, which was directly opposed to the then existing law, and which, in lieu of a prohibition, proposed a regulated power of importation. Although opposed politically to the Duke of Wellington, he had supported the bill introduced by Mr Huskisson in 1828. He sat in the Committee on the state of agriculture in 1833, and he had had the honour of drawing up the report then agreed to. In 1834, when a member of Earl Grey's Government, he took his full share of responsibility in defence of the existing corn laws; and in 1836 he had again taken part in the agricultural inquiry, together with the noble Lord (J. Russell), the President of the Board of Trade, and the noble Lord (Howick); and those hon. members, on the persuasion of the noble Lord, tried to introduce into the report, a recommendation of a fixed duty. He (Sir J. Graham) took the sense of the Committee against the recommendation, and carried it against the three members of her Majesty's Government. So much for his inconsistency. 1839.

1839. But he would not take his stand on so low a ground. He wrote the work which had been referred to, in the year 1826, immediately after the great crisis of 1825, just when the Small Note Act, which had been introduced in 1822 by Lord Londonderry, for the purpose of staving off the effect of the Act of 1819, was about to be suspended; and he argued that the restoration of our monetary system on a sudden would have a fatal effect on the agricultural interest. He had failed in impressing his views upon the House or the country, and he now said, with respect to the currency, that that line of conduct which might have been everything that was just and everything that was equitable in 1826, might be full of the greatest evil in 1839. He was not vain of his own work; there were, he knew, many errors in it, and he had since had the benefit of an enlarged experience. To quit the subject of the books, he held himself no longer bound by any part of that publication, and he should always endeavour to deal with all questions that should be presented to his attention, and which involved considerations of public policy, in such a way as he thought the necessity of the time and the interests of the country demanded. He was satisfied, and the character of the noble Lord opposite was a sufficient guarantee of the fact, that this notion of departing from the existing Corn Laws had been adopted and taken up by him on a sudden. The noble Lord shook his head; but he was really giving him credit for being a man of honour and integrity; and he was convinced that he did not contemplate any change a short time ago, for he thought that no consideration should have induced the noble Lord to introduce the English Tithe Commutation Act into that House if he had then intended to sanction any departure from the existing Corn Law; but if,

on the contrary, the noble Lord should state to the House that such had been his intention, he (Sir J. Graham) could find no milder mode of expressing himself, than in saying that a gross fraud had been practised upon the House. 1839.

The President of the Board of Trade had referred with great satisfaction to the dependence of this country for a supply of raw cotton on a foreign country; and he had contended that a supply of food might be relied upon with equal safety. Seeing, however, the large amount of our population dependent upon the state of our cotton manufacture, and looking at the position of affairs in the only quarter of the globe where any large quantity of the raw material was grown, he feared that we could not always depend with equal certainty on the supply. He had always hoped that instead of attempting to extend the limits of our territory in the East, and to stretch the bounds of our government there, and instead of being devoted to war, we should cultivate there the arts of peace, and that we should devote our attention to the better raising of the cotton plant, to its better growth, and to its better packing; and he could conceive nothing more worthy of the attention of the right hon. baronet, the President of the Board of Controul, than emancipating this country from the necessity of relying on the United States, for our supply of cotton. It was in his opinion an evil to be dependent on any country for a supply of cotton; but if we were, with the dense mass of our population, dependent for our bread also on a foreign country, we should be running greater risk than the Legislature seemed to contemplate: and in his conscience he believed that such a change would be fatal to our manufactures, and to the independence and prosperity of the country. * * * Something had been Dependence on America for Cotton.

1839. Augmented burthens on Land.

said about the taxes which fell upon agriculture. A return had been made up to 1833, of the proportion of local charges paid by the agriculturists. At that time the Poor and the County rates amounted to £8,600,000; of this sum the landed interest paid £5,439,000, or five-eighths of the whole burden. The highway rates amounted to £1,485,000, and of this sum the persons connected with land paid in money or in labour £939,000, or two-thirds of the whole sum. The County rate in 1793 amounted to £184,000, and in 1833 it had increased to £757,000. To take a specific instance of the rapid increase of these local burdens, he might refer to the county of Stafford. In the year 1792, the sum required for the repair of bridges in that county was £298: in 1832 the amount required for the bridges only was £5667. In 1792, the cost of gaols and the maintenance of prisoners was £2600, but it had risen, in 1832, to £7108. In 1792 the expenditure on prosecutions was £1020, but in 1832 they cost £6500.

He would ask the hon. gentlemen who had advocated this measure, to state expressly what their intentions were with regard to the price of corn. Was it their object to raise the price? If it were, they would ultimately raise the price of wages, and diminish the rate of profits. If they desired a low price of corn, he would tell them at once that they desired to produce a low rate of wages. Let the agricultural and the manufacturing labourer thoroughly understand that low wages would certainly be the ultimate effect of the low price of corn, that a large addition of hands would be thrown upon the labour market, and that large quantities of land would be thrown out of cultivation. Let them but once diminish the consumption of British-grown corn, and from that moment the consumption of iron, of hardware, of cotton, and of wool-

lens, must decline. There would come a fresh displacement of labour, and a fresh lowering of wages. The noble Lord opposite had told them it would only be a new diversion of capital—a transfer of it into other channels. The President of the Board of Trade, in the lofty phraseology of the economists, spoke of labour as a commodity, and as though labourers were without feelings, habits, or attachments; that they might be dealt with as machines; and that as long as they could find employment, they would be content to receive it in any part of the country. Oh! let the House well reflect before they took any steps which directly or indirectly tended to these displacements of labour. Little could they estimate the wretchedness which sprang from change of habit, of house, of manners, of the mode of life itself. What change more cruel could despotism itself inflict, than a change from 'the breezy call of incense-breathing morn,' to a painful and grievous obedience to the sad sound of the factory bell; the relinquishment of the thatched cottage, the blooming garden, and the village green, for the foul garret or the dark cellar of the crowded city;—the enjoyment of the rural walk of the innocent rustic Sabbath, for the debauchery, the temptations, the 'pestilence,' the sorrows, and the sins of a congregated multitude? Where were their moralists, that their voices were not raised against the fearful consequences which the proposed change brought in its train? It was the first step towards making England the workshop of the world, dependent for its daily food upon foreign supplies. He hoped that the proposition would not be successful. Were it to succeed, he should say with his friend, Lord Ashburton, that this was the last country which he should wish to inhabit. The evil itself was of the most fearful character; but the next

1839.

1839. worse thing to its actual infliction was the apprehension of its advent. The fear of the change was almost as distressing as the actual change itself. He, therefore, could not hesitate to give his cordial and decided opposition to the motion.

Government of Ireland.

During the winter, the condition of Ireland once more painfully attracted public attention. The tithe struggle had been terminated by the Act of the preceding Session, making the proprietors of the soil alone directly liable; but the worst feud between landlord and tenant remained; and with the dissipation of the popular hopes of material benefit from the Repeal of the Union and the overthrow of the Church Establishment, came a sullen revulsion of feeling, which found its expression in acts of prædial violence and crime. As yet emigration served in hardly an appreciable degree to afford any relief from the pressure of competition for land. No steam bridge for the peasant class had been thrown across the Atlantic; and Australia sounded in their ears only as a hard name for the distant and dreaded penal colony. Meanwhile the wholesale eviction of small tenants was carried on in many counties from motives partly political and partly religious, though frequently no doubt from a sincere but undiscriminating desire to effect improvement of estates, and often under circumstances of hardship and oppression terrible to think of, and hard to witness unmoved. Agrarian combination everywhere revived. Secret societies covered the greater portion of the land; and fearful

acts of exemplary vengeance startled, at brief intervals, the public ear. The climax of horror seemed to have been reached, upon the tidings that the Earl of Norbury had been assassinated in his own park, within a short distance of his house, in open day. Every effort was made, but in vain, to discover the offender, or to fix with certainty the immediate cause of the crime: and both remain a mystery to this day. But the tragic deed was interpreted almost universally as the signal of a retaliatory war of extermination against landlords. Government were said by their opponents to be accountable for the social anarchy that prevailed. The administration of justice under Lord Normanby had been wanting so much in rigour, that crime had grown fearless and insolent. In point of fact, the number of offences had never been less in Ireland, whether against life or property; but all the bad passions of the community were for the time concentrated in a single aim, and directed against a single class, or its immediate subordinates; and as that was the class from which Peers and Members of Parliament were chosen, it was not surprising perhaps that more than ordinary anger and impatience were betrayed in both Houses at the opening of the Session. Lord Roden obtained a select Committee of the Peers to inquire into the state of crime in Ireland, and the manner in which the laws had been administered since 1835, with a view to its repression; the limita- 1839.

1839. tion as to time palpably indicated that the motion was intended as one of censure,—an intention which was not indeed disclaimed by those who supported it. Ministers could hardly have allowed such a vote of condemnation to remain unchallenged; and the Home Secretary accordingly moved, on the 15th April, a resolution declaring the approval of the House of Commons, and its confidence in the Irish Government. There is nothing in the speech of Sir J. Graham on this occasion that calls for special notice; he was careful to avoid any expression of a nature likely to offend popular susceptibilities; but he did not scruple to comment with great severity on many of the sayings and doings of those in power. A good deal of the discussion turned upon the point as to whether there was any constitutional precedent for the course proposed to be taken; but after a prolonged discussion the resolution was carried by three hundred and thirty votes to three hundred and eight. As this majority constituted an actual moiety of the House, its effect was decisive upon the minds of men like Sir J. Graham and Sir R. Peel. On other questions, as was soon apparent, Ministers could hardly be said to have any majority; but about the mode of governing Ireland public opinion seemed to be decided; and the counsel of Sir James to friends and associates was more than ever one of conciliation rather than coercion. It was in this spirit that somewhat later the party was brought, though not

without difficulty, to agree at last to the passing of the Irish Corporation Bill. 1839.

On the 7th May the Whigs, finding they had only a majority of five on the Bill for suspending the constitution of Jamaica, tendered their resignation. The Duke of Wellington, on being consulted, advised the Queen to send for Sir R. Peel. His Grace undertook the leadership of the House of Lords; Lord Lyndhurst was to be Chancellor, and Sir James Graham Secretary for the Home Department. Lords Aberdeen, Ellenborough, and Stanley, Sir Henry Hardinge, and Mr Goulburn, were designated for other Cabinet offices, and the list of the proposed Administration was submitted to her Majesty and approved. An unexpected difficulty then arose with regard to the Ladies of the Household, most of whom were the immediate relatives of the out-going Ministers, but all of whom the Queen desired to retain. Sir Robert felt that while in a minority of twenty-two on a subject like Ireland in the House of Commons, he would have little chance of success in attempting to carry on the Government, if any apparent cause for doubt existed as to his possessing the confidence of the Sovereign; and with the concurrence of the friends whom he had consulted, he consequently relinquished the task he had undertaken. Lord Melbourne and his colleagues resumed office, and held it during the two succeeding years. Resignation of Lord Melbourne.

1839. Maintenance of the new Poor Law.

It was sometimes said of Sir James by those who winced under his hard hitting, or whose views, whether party or personal, he thwarted, that he was alike unstable in his convictions, and unscrupulous in adapting his words to suit the purpose of the hour. It is indeed quite true that upon one great question his opinions underwent a total change, and then reverted to what they had originally been, while upon other subjects his sentiments, like those of every other man of political eminence in his time, underwent more or less of modification. But it may with perfect truth be said that few public men adhered more tenaciously to principles they believed to be sacred, and that few made greater sacrifices of personal and party popularity sooner than desert the vindication of measures in which they had once had a share. The Poor Law Amendment Act of 1834 is a signal instance of this. One of the Cabinet by whom it was framed and carried, he was in no way called upon to volunteer his aid in its defence, after years had passed, and he had become severed from his former colleagues and identified with a party, many of whose most influential supporters made opposition to the New Poor Law their rallying cry. As a man of foresight and a man of honour, he was doubtless bound to vote consistently with his unaltered conviction that the Act of 1834 was sound and beneficial, but it cannot be contended that he was

bound to come to the rescue of those, who being charged with its administration, had incurred an intense degree of obloquy and odium, by the rigour they had displayed in the exercise of their functions. Of that rigour he disapproved, and hesitated not to say so. But he would not be induced to make that an excuse for weakening or undermining the authority of the law, which they had to administer. His practical good sense and humanity had early led him to perceive that, in the working of the new system, adherence to a cast-iron rule of in-door relief, and no other, was alike pernicious and impracticable; and he was quite ready to be scoffed at by the *doctrinaires* of the Whigs for making the confession. While incurring their censure however, he was equally ready to provoke the denunciation of popular and powerful assailants of the new law, by refusing to aid them in effecting any change in its provisions, that would have tended to subvert it. Was this an unworthy part to take? Was it that which would have been taken by a trimmer or a coward? Was it not rather that of a candid and conscientious man, who felt the inherent difficulties of the case, and who thought aloud regarding them? When the bill to continue the Poor Law Commission was under consideration, Mr Darby brought forward a proposition to relax the rule as to out-door relief, in favour of families in certain cases. It was supported by many Conserv-

1839.

Rule of in-door relief.

1839. atives, as well as by several Liberals. Sir James avowed his willingness to share with Ministers the responsibility of the measure, because he was quite satisfied that, upon the whole, it had not been more beneficial to the rate payers, than to the independence of the labourer. It had encouraged the industrious, while it secured to the really destitute those advantages of relief, which were formerly enjoyed by the idle and vicious. At the same time, in its working the measure had borne with hardship on some meritorious classes. He particularly alluded to widows left with large families, suddenly deprived of their husbands by some unexpected blow. To compel such at once to remove from the cottage to the workhouse, when by a little support for a short time, they might by industry be enabled to maintain their families in independence, would be cruel in the extreme. The practical working of the measure had also proved to him, that in times when provisions were dear, when the demand for labour was slack, and burthens large, relief must sometimes, in special cases, be given to able-bodied men. He had been chairman of a Board of Guardians; he had seen the practical working of this measure, having for four years watched it with the greatest possible anxiety. In the Union with which he was connected there was a large body of hand-loom weavers; and he did not hesitate to say, that in the winter of 1838 it would have been utterly impossible to have conducted

the affairs of that Union, without out-door relief administered with caution to the able-bodied labourer. It was true that there was great danger lest the administration of out-door relief, even in special circumstances, should relapse into all the evils of the former system. The statute had contemplated that on a given day the refusal of out-door relief throughout England and Wales should be general. When however the Commissioners came practically to consider the prudence of carrying out this regulation, the inquiries they made, and the experience they had acquired, taught them the impossibility of giving general effect to the law. Uniformity was most desirable; yet this rule prohibiting the administration of out-door relief, so far from being uniform throughout England, was, he must say, somewhat capriciously applied. It was applied to certain Unions in the South, but in the North the rule was not in operation. In Cumberland, in the Union of which he was chairman, they were bound by no such regulation. An ample discretion was left them; they were not fettered in the least; and if they had not been left to the exercise of this unfettered discretion, he was bound to say he should not have held himself responsible for the conduct of that Union.* 1839.

We shall presently see that when official responsibility again devolved upon him, his sentiments on the subject did not change, but that he

* Hansard, Debate on Poor Law, 22nd July, 1839.

1839. was ready to give substantial and permanent effect to them.

Invasion of Afghanistan.

His opinion as to what ought to be one of the first cares of the Government of India has been already stated. The conduct of Lord Auckland in 1838 furnished a painful illustration of the opposite kind. His appointment in 1835, and the setting aside of Lord Heytesbury, when on the eve of embarkation for the East, had been regarded by Sir James as a job,* but he had personally no unfriendly feeling towards him, and he willingly believed Lord W. Bentinck's assurance, that he was free from the folly of aiming by war at further territorial aggrandisement. For three years this anticipation† was realized; but in the summer of 1838 Lord Auckland was led to embark in the fatal course of policy, which beginning with the invasion of Afghanistan under false pretences, ended in the destruction of the British army in their attempt to retreat, and in the ultimate confirmation upon the throne of that country, of the prince whom it had been sought to set aside and despoil. When the news of the Governor-general's proclamation of war, and of the march of the invading force, reached England, Lord Aberdeen moved for the production of papers on the subject in the House of Lords; and in common with Lords Ellen-

* See his vote in favour of Mr Praed's motion, May, 1835.

† Kaye, Hist. War in Afghanistan, vol. i. p. 305.

borough and Brougham, severely censured the im- 1839.
policy and injustice of the measure. Sir J. Graham, "feeling that the entire conception of the expedition was improvident, and that the course we were entering upon was unwarrantable," gave notice of a motion in the Commons condemnatory of the whole proceeding. This, it is hardly necessary to say, was long before any cloud of misfortune or defeat had shown itself in the horizon. At the suggestion of Sir R. Peel however, he subsequently withdrew his notice, rather than afford any excuse for saying that the expression of a condemnatory opinion by a great party in Parliament, had had the effect of embarrassing the Indian Government in the execution of its engagements with the native powers. The event but too fully justified his prescient view, which throughout he never changed. Yet he was afterwards taunted, by some of the apologists of Lord Auckland's lamentable errors, with irresolution, and with not knowing his own mind; because having given the notice referred to, he did not persevere with it.* He was at all times and under all circumstances strongly averse to war, and of all wars he regarded those with most aversion, which were undertaken for extended rule.

There was in his opinion, however, a broad dis-

* Hansard, Debate in Commons on Affairs of India, 13th April, 1842.

1839. tinction to be drawn between the policy of Lord Wellesley in 1799, when England was engaged in a life-and-death struggle with France, and that of Lord Auckland in 1838, which he looked upon as originating in exaggerated fears of Russian power and ambition. In acknowledgment of a copy of his Lordship's Despatches, published some time before, he thus wrote:—

"Grosvenor Place, 5 April.

"My Lord Marquis,

"I have received the copy of your Lordship's Despatches, written during your administration in India.

"Any proof that I am still remembered by your Lordship could not fail to gratify me: but none can be so acceptable as a work which is a lasting monument of your fame, and which will demonstrate in future times how the genius of one man can save and even create an empire.

"It affords also more than a lesson of governing; it teaches the difficult art of useful occupation following honourable retirement from the cares of State. The time I hope is distant, but it will come, when without the suspicion of flattery it may be said, 'Plurimæ consentiunt gentes populi primarium fuisse virum.'

"I have the honour to be, with the most sincere respect,

"My Lord,

"Your faithful and obliged Servant,

"J. R. G. Graham.

"The Marquis Wellesley, K. G."

The changes made in the Government in the summer of 1839, served little to increase its influence out-

of-doors; and the secession of Lord Howick and Mr C. Wood gave fresh hopes to the Opposition. The failure of the revenue and the continued depression of trade, furnished topics of reproach of a kind always formidable; while the vehemence of the anti-poor law agitation, and the perturbation caused by the Rebecca riots in Wales, rendered every movement of the Chartists a cause of increasing fear to the more timid classes of society. The revolt in Canada had been completely suppressed, and for the first time for many years Ireland was confessedly tranquil. But dear bread and scant employment filled the great towns of England with disquietude and gloom. Religious animosities added greatly to the prevalent discontent. Mr Sheil's appointment to the Vice-Presidency of the Board of Trade, and that of Mr More O'Ferrall to the Secretaryship of the Admiralty, evoked anew the No-Popery cry: and many who cared little for the polemics of Exeter Hall, were deeply offended by the circumstance of Lord Melbourne having presented to the Queen, Mr Robert Owen, the well-known founder of Socialism in England. Parliament met earlier than usual, in consequence of the approaching marriage of her Majesty. Ministers proposed that £50,000 a year should be granted to Prince Albert, from the time he should become the husband of the Queen. A like sum had been settled on Prince Leopold when he married the Princess Charlotte; and other precedents were also

1840.

28th Jan. Want of confidence.

Jan. 29th.

1840. relied on. Mr Hume attempted to reduce the vote to £21,000 a year, but was left in a small minority. Colonel Sibthorpe then proposed that £30,000 should be the sum; and this, after a discussion in which almost everybody seems to have lost his temper, was carried by a majority of 104,—Sir R. Peel, Lord Stanley, and Sir J. Graham voting along with Mr Hume and Mr Warburton, on the side of economy.

Next day Sir J. Yarde Buller moved a resolution, of which due notice had been given, that Ministers did not possess the confidence of the House. A great trial of strength between parties ensued, the main issue raised under various forms, being that of Conservative resistance to further change, whether organic, commercial, or religious. The speech of Sir James consisted of an elaborate contrast between the opinions of different members of the Administration, which in many respects was not difficult.

Policy of open questions.

The noble Lord (J. Russell) had been very explicit on the subject of the Ballot. Ballot, he said, was suited to an absolute government of the few, or to a free government where the suffrage was universal. But for the middle classes of this country to pretend to an irresponsible and secret power over the destinies of the country, would be, as the *Morning Chronicle* had said, "an unendurable anomaly." Yet immediately after the resumption of power by Ministers in May last, the Ballot was for the first time made an open question. Lord Brougham had said that open questions were a cunning expe-

dient, invented for the benefit of those who were more anxious to keep their places than to do their duty. But Ballot being made an open question, the right hon. gentleman (Mr Macaulay) was made Secretary at War. He had declared himself in favour of Ballot and household suffrage, on the hustings at Edinburgh, a short time before; and in his address to his constituents, dated from Windsor Castle, when seeking re-election on his appointment, he declared that he had accepted office, because in office he could most effectually promote the success of those principles, which recommended him to their favour.* * Well, but then there was the question of the Corn Law. How did they agree upon that? On the 14th of May, 1839, Lord Melbourne had said,—"For the sake of argument, I will assume the possibility of our being in a situation in which we might legislate with a *tabula rasa*. I will suppose that we had no interests to protect, and that we were told that this was to be a great manufacturing country—great in wealth, in prosperity, and population; and I should then very much doubt, whether it would be wise to establish laws, which must make a large manufacturing population dependent on foreign countries for a supply of corn. But when I consider the situation in which we stand, when I consider the various and complicated interests which we have to protect—when I consider the peculiar nature of our financial position, and find my noble friend proposing to leave the whole agricultural interest without protection, I declare before God, that I think it the wildest and maddest scheme, that has ever entered into the imagination of man to conceive. I entirely agree that any change in the present system would be an evil." 1810.

But the Secretary at War had told the people of Edinburgh, that he was opposed to any duties of import on the necessaries of life; and the new President of the Board of Trade (Mr

1840. Labouchere) had declared himself opposed to the sliding scale, and to be an advocate of a fixed duty. What confidence then could Ministers expect that Parliament or the country should repose in them, when upon a question so vital, they had no common mind?

What had been the conduct of Lord Melbourne's Government respecting the Church, or what could be said to be its policy? The Appropriation clause was the origin of the dispute between himself and the gentlemen opposite, and it had dissolved their political connection. The noble Lord (J. Russell) on the 6th May, 1834, had pledged himself to the principle of Appropriation, and declared in terms only too flattering to the colleagues from whom he differed, that even at the risk of separating from them, he felt himself bound thereby, as he could not resist the repeal of the Union without doing justice to Ireland. Justice to Ireland had since that time become the catchword of the party opposite. In consequence of that declaration he and Lord Stanley had quitted Lord Grey's Government, which was soon afterwards broken up and succeeded by that of Sir R. Peel. A Tithe Bill was then introduced without the obnoxious clause; but the noble Lord led a majority of the House to insist on its being inserted: and upon the adoption of that resolution, Lord Melbourne and his friends were restored to power. Talk not to him of Government principle! If ever Government was bound to a principle from which it was impossible to depart, it was the Government opposite, which was irrevocably pledged to the principle of Appropriation. But did that Government adhere to it? If a Government, which could depart from a pledge so solemn, was entitled to the confidence of the country, then he must say that no Administration could ever be convicted of a

breach of engagement, or be declared by the Legislature unworthy of confidence.* 1840.

The motion however was defeated in a full House by a majority of twenty-two.

Among the ministerial changes which had taken place in the preceding autumn, was that whereby Mr Spring Rice, on his elevation to the Peerage, relinquished the Chancellorship of the Exchequer, and became Comptroller of that department. The office was a permanent one, and had no retiring pension annexed to it; but when vacated by Sir John Newport on account of his advanced age, a pension of a thousand a year had been conferred on him out of the Civil List. No additional burthen was thereby imposed on the public. It was contended however that a fund, placed at the disposal of the Sovereign for Civil List pensions, was intended for distribution among persons of distinguished merit in letters and art; and that to divert it to the reward of political services, was an evasion of the spirit of the Act. Mr Liddell moved a resolution, declaring that this exercise of the prerogative was one that ought not to be drawn into precedent; and occasion was taken by Mr Leader and Sir J. Graham, to comment disparagingly on the financial policy of the late Chancellor of the Exchequer, and to stigmatize the whole arrangement as a job. Lord J. Russell replied with more than usual warmth.

Sir J. Newport's retiring pension.

27th February.

* Hansard, January, 1840.

1840. "I came down to the House to defend Sir J. Newport's pension, to which the proposed resolutions alone refer. But the right hon. baronet seems anxious to blink that question, and to use the opportunity as one for attacking Lord Monteagle, who is no longer here to defend himself. I do not feel it necessary to enter into a defence of my noble friend's conduct, because it does not properly come before us; but I certainly was surprised at the attack which has been made, because I remember that the right hon. baronet was for a long time a member of that Cabinet, under which Mr Spring Rice was an able and efficient Secretary to the Treasury; and I should have thought that the right hon. gentleman would have recollected with some gratitude, the able, zealous, and eloquent speeches which he made in defence of that Government, when the right hon. gentleman so often shrunk from his duty in maintaining its acts. I should have thought certainly that the right hon. gentleman would not have altogether forgotten those services, or failed to call to mind how much that Government, of which he was a member in a very high office, and for which he said so little, owed to the very able and efficient speeches made by the then Secretary to the Treasury, and that he would have been inclined to spare a man, not now present to answer him. But if those speeches and services, both official and parliamentary, showing not only great zeal and industry, but great ability likewise, produced no impression on him, they did produce an impression on the noble Lord at the head of the Government; for when Lord Stanley resigned the office of Secretary to the Colonies, Lord Grey thought he could place the seals of that office in no better hands, than in those of the noble Lord, whom the right hon. gentleman, when no

question was before the House as to his conduct, thought fit to censure in such harsh terms. This I am sure of, that if the right hon. gentleman had ventured, in the presence of my noble friend, (as he never did,) to make such an attack as he has indulged in to-night on his conduct of the financial affairs of the country, he would have met with an answer which would probably have deterred him from repeating it. But if the right hon. gentleman thought it safe to refrain from impugning the services of my noble friend when he sat on these benches, and was selected for office by Lords Grey and Althorpe, it was still more safe to make a laboured attack upon a man who is now a member of the other House of Parliament. A man who had rendered more essential service to the public than Sir J. Newport he did not know, or one who was in every way more worthy of a pension in his declining years. But if its bestowal were really deserving of blame, why had not a direct motion of censure been brought forward, instead of the spiritless, pointless, and gingerly resolutions of the hon. member for North Durham?" 1840.

This sally called up Sir Robert Peel.

"However pointless, spiritless, and gingerly the noble Lord (J. Russell) may feel the resolution of my hon. friend, he has given conclusive proof that he does not consider the speech of my right hon. friend (Sir J. Graham) pointless, spiritless, or gingerly. It seems to have had the effect of completely obliterating the recollection, not only of the services of my right hon. friend, but of the unvarying testimony borne by the noble Lord himself to the value of those services. Has not the noble Lord said that the separation from office of my right hon. friend was one of the most painful in his life,

1840. on account of the proof which he had given of the value of those services which the noble Lord thinks it decent now to decry? The noble Lord says to-night that my right hon. friend, when one of his colleagues, and a member of the Government, shrunk from his public duty; and such was his expression, after the testimony to which I have referred of the estimation in which he held the character and services of my right hon. friend. Is there the slightest foundation for the assertion that my right hon. friend ever shrunk from his duty? Who was selected to assist the noble Lord in his preparation of the Reform Bill? Was it not my right hon. friend? And will the noble Lord now, with his present impressions of Reform, deny the services which my right hon. friend rendered on that occasion? Does the noble Lord deny the services of my right hon. friend as First Lord of the Admiralty? (Lord J. Russell, — "No.") No, says the noble Lord. Then what does he mean by saying that my right hon. friend shrunk from his duty as a member of the Government? Who reformed the civil department of the navy? Who was it that gained credit for the great saving in the naval estimates during the Government of Lord Grey?— and can you deny that the whole merit of it was due to my right hon. friend? (Lord J. Russell here made an observation across the table.) Oh, I am reviving in the noble Lord's recollection some sense of my right hon. friend's services. Why, this very debate should recall to the noble Lord's recollection some of his services. Who reformed the office of the Exchequer? Who was it that, burthened with the laborious office of First Lord of the Admiralty, found time to extend his inquiry into the whole department to which I have referred? Who altered the regulation of pensions granted

for civil services? It was my right hon. friend, whom the noble Lord, forgetting his own past acknowledgment of his public services, has charged with shrinking from his duty. I will tell the noble Lord what he shrunk from. He shrunk from office in vindication of his principles. Rather than consent to the principle involved in the Appropriation clause, by which I was deprived of office, my right hon. friend abandoned office; and, perhaps, seeing the place which my right hon. friend now occupies, from adherence to his principles, and recollecting the subsequent fate of the Appropriation clause, the noble Lord may be excused for the irritation which he has displayed. I freely acknowledge the merits of Sir J. Newport as a public man, but I concur in censuring the mode taken to requite him." 1840.

The House, by a majority of 240, against 212, confirmed this view.

Upon production of a numerous mass of correspondence relative to the affairs of China, indicating the approach of a rupture of our relations with that empire, Sir J. Graham gave notice of his intention, to move a resolution of censure on the foreign department of the Government, for leaving the British plenipotentiary without adequate instructions for his guidance, in dealing with the Chinese, and without an adequate force to sustain his authority. The resolution was in the following terms, — "That the interruption in our commercial and friendly intercourse with China, and the hostilities which have taken place, are mainly to be attributed Rupture with China. Resolution condemnatory of the war.

1840. to the want of foresight and precaution on the part of her Majesty's present advisers,"—which he moved in a speech of more than ordinary length and elaboration of detail. In his view, the true policy of England lay "in consulting the feelings and respecting the prejudices of a people who had continued to be excellent customers, but whom it was very undesirable we should ever have either as foes or tributaries. In the one capacity they were unworthy of our arms; in the other, ill adapted for our rule. If they looked across the Himalaya mountains they saw Hindustan prostrate at the feet of England; hardly a century had elapsed, since from a small beginning that British empire had arisen. And how? We commenced our connection with India under the pretence of trading, and the semblance of commerce. Scarcely a century had passed since the first English factory was established there. A single warehouse was at first built; it was then surrounded by a wall. We next added a ditch, armed the labourers, and increased the number of Europeans. A garrison was thus formed, and then we began to treat with the native powers. Having discovered their weakness, we seized on Arcot, triumphed at Plassy; and what a Clive began, the Wellesleys completed. These successes terminated in the battle of Assaye, when India became ours. Was it not natural, then, for the Chinese, seeing what had passed in India, to feel jealous of allowing any permanent settlement of

a British factory within their territory? They were characteristically averse to intercourse with foreigners; yet they had agreed to carry on a trade with us, which Lord William Bentinck had declared to be of the most essential value to India as well as to England. The maxim of Sir G. Robinson, formerly British Resident in China, had been to let well alone; and he and his successors succeeded in maintaining pacific intercourse without much difficulty, by not insisting upon diplomatic concessions which the Mandarins could not understand. The noble Viscount (Palmerston) seemed bent however upon breaking through the fence of antiquated usage, thereby disregarding the counsel that had been given by every person of judgment and experience at home and abroad. They had looked on passively while the new trade in opium had sprung up; and tacitly sanctioned its vast and rapid extension after it had been placed on the footing of piracy by the Chinese Government: yet the Home Government neither sent specific instructions to Captain Elliot, for his guidance in a matter where the amity of the two nations and the properties and lives of many individuals were obviously put in jeopardy, nor did they place at his disposal any force, which could have the effect of checking acts of violence towards British subjects. If we were about to engage in a war with China, it would be attended with circumstances as formidable as the interests at stake were vast. It 1840.

1840. was a contest, it should be remembered, which would have to be carried on at the remotest part of the habitable globe, and where the monsoons would materially interfere with the communications which must be had with this country; it was to be carried on at an immense distance from all our naval stations. The troops which would be sent out would be exposed to various dangers. They would arrive at their destination after a long voyage, pent up in crowded transports, and wearied with the fatigues of an element which our land forces abhor: they would come to the scene of action with abated strength and diminished energies. If, indeed, war with China had been rendered inevitable,—if the House believed that the Government wished for peace, and had done all in its power to avert hostilities,—if we were called upon to enter into this war, not only to punish those who slighted us, but in the necessary defence of our national honour, he was persuaded that the whole martial spirit of the country would gird itself up for the conflict, and meet the exigency without fear or anxiety. But when they saw on the part of her Majesty's advisers, the most pertinacious adherence to the erroneous course, repudiated both by experience and reason,—when they saw that they attempted to force on a proud and powerful people a mode of proceeding to which the weakest would not tamely submit,—when they saw that the advice of

one of the greatest and most prudent of our states- 1840.
men was disregarded and rejected,—when they saw that branch of the trade which the confidential servants of the Administration had declared to be piratical, not put down by the interference of her Majesty's Government,—when they saw nothing done or attempted to be done, he could not help asking the House whether they did believe that the people of this country would patiently submit to the burdens which Parliament must of necessity impose? And whether the people could repose confidence in an Administration, that by mismanagement in five years had destroyed a trade which had flourished for centuries; and which, in addition to the loss which the country had already undergone, had almost plunged it into a war, in which success would not be attended with glory, and in which defeat would be our ruin and our shame.

Mr Macaulay replied; and the debate, extending over three nights, was sustained by Sir W. Follett, Mr Gladstone, Mr J. W. Hogg, Mr Thesiger, and Sir Robert Peel, on the one side; and by Mr Hawes, Mr C. Buller, Sir G. Staunton, Sir J. C. Hobhouse, and Lord Palmerston, on the other. It was two o'clock on the third night of the debate when the Secretary for Foreign Affairs concluded his speech in defence of his policy. Sir James rose to have the last word; and for a few minutes the expectation of a caustic and vigorous reply repressed the impatience of a

1840. crowded House for the division. But no sooner had he let fall the untimely intimation that he wished to answer the arguments of the noble Lord, than a deafening shout of "Divide" drowned his voice, and no efforts of the Speaker could avail to restore order until he had resumed his seat. Besides those who paired, 262 voted for the resolution; 271 against it. A ringing cheer arose from the Opposition benches on the announcement, that on a question of confidence, the Government majority had dwindled, in the three months that had elapsed since Sir J. Y. Buller's motion, from twenty-two to nine.

26th March. Irish Registration Bills.

In the course of the Session he had taken some part in support of Lord Stanley's Irish Registration Bill, the opponents of which urged that it would have the effect of materially reducing the already limited constituencies of Ireland, and that it must consequently be regarded as an unsettling of the Reform Act in a retrograde sense. He earnestly disclaimed any such intention; but urged the necessity of putting some check upon the creation of voters by the hard swearing of the claimants themselves, as to the possession of beneficial interests in their farms, of which abundant evidence he thought had been given before the Fictitious Votes Committee. The discussion turned very much on the practical bearing of the provisions of the proposed Bill, which, it was understood, had been originally framed in Ireland by certain members of the Conservative

party, and pressed upon Lord Stanley as the person by whom the Irish Reform Act had been originally introduced and carried. The second reading was carried by a majority of sixteen. This decision, in great part attributable to the casual absence of members on the Ministerial side, filled the Opposition with sanguine anticipations of triumph which the event failed to realize. In every point of view, indeed, the consequences of this vote, which did not at all express the actual preponderance of opinion in the House upon the subject, was unfortunate. A small number of Whigs voted with Lord Stanley, and this fact was exaggerated into a proof of a general reaction among English Liberals on the subject of the elective franchise in Ireland. On going into Committee on the 20th of May, in a House of six hundred members, Lord Stanley, though aided by Lord Howick, Mr Charles Wood, and Mr Ingham, obtained only a majority of three. Nevertheless, the noble Lord declared it to be his determination to persevere with the Bill. 1840.

The party hopes thus raised evoked anew feelings of national distrust, and afforded an apt text for the long-threatened revival of agitation for Repeal. Ministers endeavoured too late to cure the mischief by bringing forward a Registration Bill of their own, conceived in a less stringent spirit. But their sincerity was questioned from the tardy production of the measure, which had the appearance of having

1841. been only elicited by that of their opponents. The old controversy was reopened as to whether it was just or politic to perpetuate differences between the United Kingdoms by the fresh enactment of dissimilar laws. Irritation and resentment increased on every renewal of the discussion; and at the end of the Session neither of the rival Registration Bills had obtained a third reading. Although this ill-starred project did not in any way originate with Sir James, he must bear his share of the responsibility, supporting it as he did, not only in the Session of 1840, but in that which followed.

25th February. Revival of Repeal Agitation.

During the recess many meetings to petition for the Repeal of the Union took place in Ireland; and various indications manifested themselves that the protracted refusal of municipal rights, the abandonment of the Church question, and the apprehension that under new forms of registration, the already dwindling constituencies of the counties were about to be still further reduced, prepared the popular mind for a renewal of agitation. It was constantly urged in the debates on Lord Stanley's bill, and on the counter-project of Lord Morpeth, that if a stringent test of qualification would have the effect of reducing too low the numbers of the constituencies, that was a reason why an amendment should be made in the franchise, so as to make good what was intended by the Reform Bill, but no reason why preventives should not be devised against perjury

and fraud. A Government measure was accordingly 1841.
brought forward early in 1841, which conceded some of the points urged by Lord Stanley, upon condition that instead of the ten-pound beneficial interest, taken in 1829 as the basis of the right to vote in counties, the occupancy of a five-pound rated tenement should be substituted. This was resisted on the ground that it went too far, and made numbers the test of an adequate constituency, rather than political and social independence. If a five-pound rating suffrage were once conceded in Ireland, it could not long be refused in Great Britain; and the settlement of 1832 would thus be upset. Mr O'Connell avowed that he meant to convert every popular privilege into an implement to work out his purpose of dismembering the Empire: and there was reason to believe this was no idle threat. Ministers must be conscious that in the existing state of parties in Parliament, there was not a chance of being able to carry their bill; but they had brought it forward, Sir J. Graham argued, as they had formerly the Appropriation clause, not with a hope of carrying it, but to humour their doubtful ally, Mr O'Connell. It had been, in fact, Mr O'Connell's proposition in Committee on the Irish Reform Bill in 1832, and he had often subsequently recurred to it. There is nothing particularly worthy of notice in his speech of the 24th of February, save its more than usual acerbity of tone and its many personal allu-

1841. sions. One of these was to Mr Sheil, upon whom, with other Repealers, he taunted the Government with having conferred office, while Lord Fortescue, as Viceroy of Ireland, announced a contrary intention. The Vice-President of the Board of Trade retorted bitterly that though he might be called a Repealer, no one could reproach him with being a recreant Whig, the epithet which the right hon. baronet, always too rash in provoking personalities, had not hesitated to apply to Sir James Scarlett. His indiscretion indeed in attacking invidiously former friends and colleagues was strange in one who could not be unconscious how vulnerable he was himself. A majority of five only affirmed the principle of the bill; and Lord Stanley having reproduced his measure, it was likewise read a second time. But the fate of parties was not destined this time to turn upon the mode of legislating for Ireland.

On the 26th January, 1841, Sir James having been proposed by Lord Granville Somerset, and seconded by Sir Henry Hardinge, was admitted a member of the Carlton Club.

CHAPTER IV.

TRIUMPH OF CONSERVATISM.

1841.

THE growth of Conservatism had been slow; but its power was at length become irresistible. For six years the Opposition had been passing through a course of discipline under the direction of Sir Robert Peel, not a little trying to the temper of its more earnest and eager members. The old ways of Toryism, as they had been followed in the days of Sidmouth and Eldon, were repudiated; and a policy strictly defensive, and based upon the principle of resistance to organic change, accompanied by professions of readiness to meet all reasonable demands for improvement, was substituted in their stead. Any other system of tactics would have dissociated the elements of strength, which for the attainment of power, it was indispensable to hold together in parliamentary combination. There was indeed more show of strength externally, than actual solidity within; 1841. Growth of Conservatism.

1841. and to many close observers the position of the party even on the eve of triumph, seemed anomalous and insecure.

Observations of M. Guizot.

M. Guizot, the ambassador from the King of the French, scanned with discerning eye the state of political society around him. His sympathies identified him in many respects with the Conservatives, whose aims were not wholly dissimilar to those of the party he sought to build up in the Legislative Chambers of his own country, and of which, as Prime Minister, he soon afterwards became the head. He appreciated fully the tact and ability of Sir R. Peel and his associates in leadership; but he saw clearly that, amidst all the growing popularity and apparent success of their cautious policy, their party were already "undergoing a process of decomposition." Writing in the spring of 1840, he notices "the strange spectacle of an extremely strong and well-organized Opposition, which yet dared not, could not, by its own avowal, become a Government. The old Tories, the Tories of Lord Liverpool and Lord Castlereagh, were at once the main body and difficulty, the nerve and burden of the party. If all the Conservatives were like Sir R. Peel they would be the masters. Though there had not been recently in England, as in France, a revolution, yet there were resistances and arrogances of class which the country would no longer endure. There were Reforms made, and in perspective, which all the

world must accept, and which would exclude from power those who did not accept them seriously and sincerely. Two things equally impressed him in England,—the spirit of Conservatism, and the spirit of Reform. Despite the violence of words and the tenacity of party engagements, England was the country of ultimate good sense, of slow but continued progress." * 1841.

Opposition Tactics of Sir R. Peel.

Sir R. Peel's influence was long exerted to check rather than stimulate the aggressive impulses of his followers; and after his failure to retain office in 1835 and 1839, he made up his mind never again to try, until he should be carried into power by a resistless wave of public opinion. Whenever the Whigs should be defeated on any question of sufficient importance to justify the step, it was the opinion of the Conservative leaders, that on coming in, they "ought to dissolve Parliament, which would give them a majority of thirty votes. The problem of the moment was to obtain from the House of Lords the reforms necessary in Ireland and elsewhere. Peel only could manage that chamber, and urge it to a step in advance. Peel was not a great man, but he would do what great men could not do." † Sir J. Graham shared these views, and already

* M. Guizot, Embassy to Court of St James's in 1840, p. 151.

† Observations addressed to M. Guizot by a leading Conservative, 24th May, 1840.

1841. contemplated more than one of those measures of conciliation and concession towards Ireland, which when in office he bore a conspicuous part in carrying. But neither he nor Sir Robert Peel desired to win on any Irish question. Each of them had drunk to the dregs the cup of disappointment; and both preferred, however impatient members of their party might chafe at delay, to wait till the course of events raised some broader issue, and afforded them ground for appealing to wider interests and sympathies. They resolved to bide their time, and in the Session of 1841 it came.

Deficit in the revenue.

The financial condition of the country had for some time occasioned no little anxiety. With an increasing expenditure there had been in successive years an important deficiency of income. In 1838 it was £1,428,000; in 1839 it was £430,000; in 1840 it was £1,457,000; and in 1841 it was announced as being £1,851,000. These continued deficiencies were variously ascribed to the loss arising from the adoption of the system of Penny Postage, which the Conservative leaders had censured as an improvident throwing away of revenue; and to the constantly increasing charge for army, navy, and ordnance, against which a handful of Liberals had from time to time protested. The former would not indeed have sufficed to account for the short-comings of the revenue without the addition of the latter: and the calculations on which it was based pointed

to a gradual compensation from the increased use of correspondence. No concession was ever more popular; and it would be difficult to point out one more just or beneficial. The enhanced cost for military and naval defence, though less objected to, amounted to a sum which in itself far more than accounted for all the embarrassments of the Chancellor of the Exchequer. But the Opposition were as little disposed as the ministerialists to economy. While Lord Althorpe and Sir J. Graham remained in office they were, with the aid of Sir H. Parnell and Mr Spring Rice, able to check the tendency to increased expenditure; or, where that was impossible, to countervail it by retrenchment in other quarters. But when the one quitted public life and the other seceded from the party, the remaining links of the curb were too few to control the old tendencies to augmented outlay. Lord Melbourne was no financier, and thought political economy dull and unsatisfactory reading: and during his six years of power it caused him no concern that the yearly estimates had risen from £11,730,000 to £15,536,000 for army, navy, and ordnance. He could not help the Canadian rebellion, or the Syrian difficulty; but he could have vetoed the invasion of Cabul, and the war with China; these had caused the far greater portion of the extra expenditure, and were likely to occasion as much more. 1841.

The question forced itself upon consideration in 1841—how was the deficit to be provided for? In

1841. Free Trade Budget.

other days there would have been little hesitation in resorting to new loans or taxes to meet the pressing need; but in the nicely balanced state of parties in the House of Commons, such expedients were not to be thought of. As a temporary measure five per cent. had been added to the customs and excise duties in the preceding year: but enterprise was languid, provisions dear, employment scanty, and trade dull; and the experiment had wholly failed. Lord Melbourne and the other Protectionists in the Cabinet were compelled to consent to the proposal of a Free Trade Budget. The report of the Import Duties Committee of the previous year had made a deep impression on the minds of many who had been little disposed to entertain the notion of fiscal change; and when financial exigency came to plead for relaxations in the old prohibitory code, the advocates of free competition no longer argued in vain. Timber, sugar, and corn were the articles chosen whereon to try the great experiment, whether it was possible to replenish the Exchequer, by reducing instead of increasing customs duties. Mr F. Baring, as Chancellor of the Exchequer, estimated the expenditure for the year at £50,730,000, and the probable income at £48,310,000. By reducing the duty on foreign sugar from 63*s.* to 36*s.* a hundred-weight, the revenue would gain £700,000; and by reducing the charge on Baltic timber from 55*s.* to 50*s.*, and raising that of colonial growth

from 10*s.* to 20*s.*, there would be a gain he calculated of £600,000, the remainder of the deficiency would be met by the increase of trade certain to ensue upon the substitution of eight shillings a quarter for the fluctuating duties on corn. 1841.

Sir R. Peel denounced the Whig Budget as making no secure provision for the wants of the year. The deficit had gone on increasing since 1838; and it was high time to take practical and certain measures to balance the income and expenditure. It was preposterous to ask him to say in detail how this should be done; all he was prepared to maintain was, that the propositions of the Chancellor of the Exchequer could not be relied on for that purpose, inasmuch as Parliament was not likely to adopt them. The first struggle was upon the sugar duties, when Ministers were beaten by thirty-six, eighteen ministerialists declining to vote, and about half that number voting in the majority. Next day the Chancellor of the Exchequer intimated that in consequence of what had occurred, he meant to ask for the renewal of the old sugar duties. The announcement evoked loud expressions of surprise; and Sir R. Peel treated it as his justification for giving notice, without further delay, of a resolution declaring that Ministers having failed to carry the measures they deemed essential to the public interest, their retention of office was contrary to the spirit of the constitution. Upon this motion the final contest took

Defeat on Sugar Duties.

1841. place. At the close of the second night, Sir James delivered a speech full of scathing invective.

Speech of Sir James.

The advisers of the Crown in a Parliament of their own calling, had from its commencement been compelled to submit to a series of defeats and compromises, arising from their conscious weakness; and they had been obliged either to drop their own measures, or to alter them, in defiance of their solemnly pledged opinions, for no other ostensible reason than the pressure of the party opposed to them. Reviewing the course of legislation from 1835, he maintained that the chief measures of importance carried,—Municipal Reform, Tithe Commutation in England, and in Ireland the enacting of a rent-charge in lieu of tithe,—each and all owed their origin to previous Administrations, and could not have been passed but for the support of the Conservative Opposition. The Jamaica Bill had been forced on Ministers against their will by Sir R. Peel, on the failure of their own measure. The Penny Postage was indeed their own; and it had proved, as their own Postmaster-General had warned them it would, the immediate cause of the deficiency in the revenue, and of the wreck of the Administration. They had, indeed, forced the Irish Municipal Bill through Parliament against the wish of many of their opponents; but even that had been so cut down from its original proportions, contrary to the professed conviction of its authors, as to what was necessary for the satisfaction of Ireland, that a greater proof could not be conceived of the weakness, imbecility, and paralytic impotence of Government. Turning to the measures which had failed, he would instance the scheme for the settlement of Church-rates, founded on certain calculations for the better management of Church property. The scheme had been referred to a select

committee; the calculations were blown into air; and they had heard no more of it or them. Then there was the plan for Normal schools without religious instruction, which was contested so warmly and so successfully, that it was speedily abandoned. A project had been brought forward for the construction of railways in Ireland under Government superintendence; a majority of the House of Commons seemed at first disposed to approve of it; nevertheless, upon the expression of dissent from influential antagonists, it likewise was abandoned. Such was the awe in which Ministers stood of any opposition from that side of the House, upon matters which they opened to Parliament as essential to the interests of the country: opposition was merely indicated, and from that day they heard no more on the subject. It was wholly unconstitutional, and an unfair exercise of the prerogative of the Crown, for persons who had been continually defeated in important matters of legislation, to refuse to take either alternative—dissolution or resignation. 1841.

He concluded thus:

"Among the changes and chances of political warfare, it is somewhat extraordinary to see the noble Lord and his Whig coadjutors sheltering themselves under the inapplicable precedent of Mr Pitt. But they are not satisfied with that. Retained in power by royal favour, they crouch under the prerogative, and hope to protract their miserable existence for a few months longer. I vote for the resolution before the House, because, among many other reasons, I am anxious to have recorded in the journals of Parliament, the heavy weight of responsibility which her Majesty's advisers will incur, if they counsel a dissolution under the present circumstances of the country. The space of time which

1841. must elapse from the present moment to the meeting of the new Parliament, will be to all intents and purposes an interregnum: it ought not to be unnecessarily prolonged. Dissolution, if it take place at all, should take place immediately. The House has no security that it will immediately occur; and if it should not, I am anxious that this resolution should be placed on the journals of the House. I have said that the honour and dignity of the House will be wounded by the postponement of dissolution; and I hope that in the new Parliament its avengers will be found. I say that Ministers, during the interregnum, cannot conduct public affairs, except by expedients which a strong Government would despise, and of which a good Government would be ashamed. These gentlemen are always asking us what we would do? I tell them I am no great admirer of the skill with which they play their game, though I must admit the sleight of hand with which they shuffle the cards. But if they cannot play their own hand, I do not see that they are entitled to look into ours. A dissolution of Parliament is undoubtedly the prerogative of the Crown; but the advice as to the exercise of that prerogative involves the responsibility of Ministers: and I contend that a more dangerous—I had almost said a more revolutionary proceeding, than to advise a dissolution in the present juncture of affairs, after the course pursued by the Government, cannot be conceived by any rational mind. [Lord J. Russell: What do you say of 1831?] The noble Lord reminds me of 1831: I am glad of it. In that year Lord Grey's Government brought in the Reform Bill. They carried the second reading by a majority of one. Shortly after they were defeated on a matter of minor importance upon the motion of General Gascoigne. What did they do? Did they threaten

dissolution? Did they come down, and brandish in the face of the House the threat of a dissolution? The next morning, without the intervention of more than twelve hours from their defeat, Lord Grey's Government advised the Crown to exercise its prerogative, by dissolving Parliament. If the Crown had not taken that advice, we would not have remained the responsible Ministers for an hour longer. Parliament was dissolved instantly; and that is the precedent to which the noble Lord refers! So much for the precedent which the noble Lord suggests. Now I will suggest a precedent to him. In the year 1807, Mr Canning, in no ambiguous terms, announced to the House that a dissolution would immediately ensue. I suppose the noble Lord, the Secretary for the Colonies, still feels some respect for Mr Tierney. He is a good constitutional authority at all events. Upon that announcement being made by Mr Canning, Mr Tierney said—'As for a dissolution, I am convinced that it cannot be intended, particularly when I see that a religious clamour is raised, because the malice of the devil himself could not have thought of preparing for a dissolution, by the wicked cry of the Church in danger.' [Cheers from the Ministerial benches.] Do you cheer that? Do you believe that the cry of the Church in danger is more exciting, and more likely to madden the people, than the cry of 'cheap bread' raised from the Treasury bench? The Secretary at War asked, 'Where is agitation—where are the signs of it?' The right hon. gentleman, too, asked, 'What is its nature?' I will tell him. With pain greater than I can describe—with astonishment which was perfectly boundless at the time, and which is not yet altogether removed—I heard the noble Lord, the Secretary for Ireland, declare in his place last year that, in his opinion, no man who was not 1841.

1841. prepared to alter the Corn Laws, could obey the Divine injunction, and offer up with sincerity the daily prayer for daily bread. This is the nature of the agitation. But does it stop here? In a very eloquent and brilliant passage, composed not hastily or without consideration, the noble Lord the Secretary for the Colonies, when announcing the schemes of Government in the debate on the Sugar Duties, wound up his speech by declaring that in his opinion, the present Corn Laws were at variance with the beneficence of Providence. I am aware that many gentlemen in this House entertain the same opinion. I believe them to form a minority—a considerable minority; but be they a minority or a majority, I appeal to their dispassionate judgment, and ask whether they think that such language, from such high places, addressed to the people on a topic most inflammatory, can fail to produce —as I say it is intended to produce, the greatest possible excitement? This is the most dangerous course a Government can possibly pursue, with reference to the most dangerous subject. Desperate tenants under notice to quit, set fire to the premises which they are compelled to evacuate. Pirates, when they are no longer able to defend their vessel, rush with torches to the magazine. We are told of the strong man in despair, who hit upon the stratagem of turning loose three hundred foxes with firebrands at their tails, among the standing corn of the people. This is an exact representation of the Government who, at a dissolution, will send forth their torches and their firebrands. After all, I am persuaded the Eight-shilling Duty was an after-thought. The Secretary at War told us with great frankness that he always thought the propositions respecting timber and sugar might be carried; but the Corn Law proposition he knew to be a hopeless pro-

ject, which could not be carried. In the absence of all authoritative assurance to the contrary, I shall always believe, and continue to assert, that the Shilling a bushel Duty on wheat was never determined on by the Government, until after their defeats on the Irish Registration Bill. I say this is a desperate plunge, made by desperate men. They have made up their minds to put their lives upon a cast, and are determined to stand the hazard of the die. It is against them. I cannot address the people of this country in the language of quotation used by the noble Lord,— 1841.

'O passi graviora;'———

for never was a country cursed with a worse, a more reckless, or a more dangerous Government. The noble Lord, the Secretary for Ireland, talks of 'lubricity;' but, thank God, we have at last pinned you to something out of which you cannot wriggle; and as we have the melancholy satisfaction to know that there is an end to all things, so I can now say with the noble Lord,—

———'dabit Deus his quoque finem.'

Thank God, we have at last got rid of such a Government as this!" *

There were expressions in this speech which his best friends could not justify; and he was, upon reflection, fully conscious that he had gone too far. It fitted neither with what went before, nor with what was eventually to follow; and if he must be judged by the strict rule of consistency, there was no forbid- Rhetorical excesses.

* Hansard, Debate on Want of Confidence, 28th May, 1841.

1841 ding those who thanked God that they were not as other men—irascible, unguarded, prone to give way to impulse, and beset by rhetorical temptation, from casting their empty shells against him. But when every purist and tapist has said his worst, and demonstrated what there is no denying, that he sometimes turned too short and often hit too hard, the wiser because more considerate mass of mankind will be disposed rather to inquire dispassionately, whence the fault arose, and why a nature that had in it so much of real prudence and of genuine regard for truth and equity, should have at times exhibited such a flaw. The truth is, his mind was one of those in which opposite qualities, far from balancing each other, alternately exercise at times an ascendancy, as unaccountable in itself as incompatible with any rule, which true friendship would defend in its calmer hours. While a question was under investigation, or the choice of a course was still open, no man more carefully or impartially weighed every consideration that could be urged. But once convinced, his mind seemed to shut its eyes, and to plunge far deeper into partizanship, than there was any need of doing. There was about him more of the spirit of philosophy than of faction; but no invocation of the former could exorcise the demon of mischief, that occasionally seemed to possess him. At the Council Board, or with the pen in his hand, no man was more circumspect or more just;

but once on his legs, in a popular meeting or in Parliament, and none could tell where the rein of self-restraint would snap, or how far his love of satire would hurry him. He exulted as a strong man in the power he possessed; and sometimes, it must be owned, its exercise savoured of tyranny. This could not be said in the case before us, for it was an equal battle in every respect; and he knew that he should get as much as he gave. And if his language be compared with that applied by the elder Pitt to Horace Walpole, by Grattan to his rival Flood, by Burke to Warren Hastings, by Canning to Mr Ogden, and by Brougham to Sir R. Peel, the verdict of historic criticism will probably be —Guilty of unwarrantable violence, but not with intent to kill. In truth nothing is more remarkable, than the unaffected surprise and regret, frequently expressed by him, at the pain he found he had inflicted, and the readiness he showed to confess his error, and to offer to make amends. An illustration of this was in fact afforded, with reference to the speech just quoted. 1841.

The motion was carried against the Government by 312 to 311; and on the following day it was announced that an appeal would forthwith be made to the country, on the question of Free Trade. The Anti-corn Law League was still in its infancy, and possessed even in Lancashire but little power. Lord Stanley and Mr Wilson Patten retained their seats Defeat of Ministers.

1841. for the northern, and Lord F. Egerton and Mr Wilbraham theirs for the southern division of the county, on Protectionist principles. Liverpool returned Lord Sandon and Mr Cresswell; while the members for Lancaster, Wigan, and Warrington were all pledged to Protection. The six members for Yorkshire, and fifteen of those returned for its various boroughs, engaged to maintain the same principle. At Southampton, Bath, Dublin, and Belfast, the Liberals were defeated; the representation of Bristol, Norwich, Newcastle, and Stoke-upon-Trent, was divided. The counties, almost without exception, sent defenders of the Corn Law; and upon the
19th July. first division in the new Parliament, a majority of ninety-one pronounced against the Eight-shilling Fixed Duty and its authors.

Member for Dorchester. The arrangement being at an end by which Sir James had had the support of Sir John Owen in the representation of Pembroke, a seat was offered him at Dorchester, for which he was returned through the influence chiefly of Mr Williams, who had himself long sat for the borough, and who now retired in his favour. His colleague was the Hon. A. H. Cooper, third son of Lord Shaftesbury, whose family exercised considerable influence over the representation of the town, and to whose nomination it was erroneously supposed at the time, the new Secretary of State owed his return. Soon afterwards he changed his residence in town, removing

to Hill Street, Berkeley Square, where he continued to live during his tenure of office. His house in Grosvenor Place was let to Mr Everett, the recently appointed minister from the United States. 1841.

One of his first acts upon assuming office, was to communicate to Mr Vizard, recently appointed by his predecessor, Solicitor to the Home Office, that he was not prepared to recommend his continuance in that capacity. For five-and-twenty years Mr Vizard had been his solicitor and private friend; but his appointment had been disapproved of by many persons as unnecessary; and concurring as Sir James had originally done in that view, he felt it to be his duty not to disguise the fact, or to leave that gentleman under any misconception as to the course likely to be taken regarding him: and when questioned on the subject in Parliament, the Home Secretary stated without reserve, what he had deemed it right, though reluctantly, to do in the matter. Case of Mr Vizard.

By the change which had taken place in the Administration, Lord Lyndhurst resumed his former place on the woolsack; The Duke entered the Cabinet without office; Lord Wharncliffe became Lord President, Lord Aberdeen Foreign Secretary, and the Duke of Buckingham Privy Seal; Lord Ellenborough became President of the Board of Control; and Lord Stanley once more accepted the seals of the Colonial Department, in which for some time Sir R. Peel's Administration.

1841. more than usual interest had centred. "From 1835," says one, who had peculiar means of knowing the personal sentiments of the new Premier, "it was Sir R. Peel's wish to have Sir James Graham at the Home Office." He now undertook the performance of its arduous duties. Changes in administrative organization subsequently lightened in a considerable degree the business of the department; and the improved condition of the country rendered its responsibilities in many respects easier to bear. But in 1841 the aspect of domestic affairs was gloomy in the extreme. Bad harvests had rendered a sufficiency of food unattainable by great masses of the labouring population. Mills were working short time, or altogether stopped. No prospect of new outlets for manufactured goods appeared, and those hitherto relied on were glutted in consequence of over-production. Between the middle and working classes in towns, no friendly feeling prevailed. The meetings of the former to petition for free trade, were frequently interrupted by operatives, who called for an alliance with them in favour of Manhood Suffrage, or by those who wished to urge the question of the Ten Hours' Bill. Many societies and associations existed, more or less antagonistic to one another, but all contributing to keep alive feelings of discontent with the existing order of things. As the cry of hunger grew more loud and deep, the solicitude of those entrusted with the preservation of

the public peace, and the superintendence of the administration of justice and of poor relief, daily grew more grave. "There was hardly a day," said Sir James, when reverting afterwards to this period, "that I did not find it necessary to have personal communication with the Horse Guards, as well as with the heads of the police in the metropolis, and in the manufacturing districts."* He was harassed continually by apprehensions, not ill founded, that public tranquillity was likely to be seriously disturbed. 1841.

In Scotland too there was trouble. There also the population of the towns were on the brink of destitution; and those of Paisley in particular were reported to be in such need, by a special commission of inquiry sent thither, that a public subscription, headed by the leading members of the Government, was found necessary to avert absolute starvation. Meanwhile the memorable controversy in the Scottish Kirk was daily engrossing more and more the attention of both laity and clergy, and threatening to rend in twain society north of the Tweed. In Ireland the period assigned by Parliament for the election of municipal councils had come; and the Administration watched with anxiety the use that would be made of the new popular power. The instructions given by the Home Secretary to the local executive were, that the elective corporations should from the Affairs of Scotland and Ireland.

* Hansard, Debate in Commons, August, 1845.

1841. outset be frankly recognized and treated with every respect; Lord Eliott, who had been appointed Chief Secretary, was one of those whose defection from the ranks of his party in 1839, had contributed to secure the passing of the municipal bill for Ireland; and the service was not forgotten. The first elections failed to realize the apprehensions of religious exclusion, on which the opposition to the measure had been originally based. In Dublin nearly one-third of the members of the Town Council were Protestants; and of these several were elected in predominantly Catholic wards. As Sir James had predicted six years before, Mr O'Connell was the first Lord Mayor; but his conduct as a magistrate and civic functionary was such as to win the praise of his political adversaries, and several of his successors in the chair were of the opposite creed.* Nevertheless there were not wanting signs, that ere long Irish affairs would absorb no casual or inconsiderable amount of attention; and Sir James, habitually given to look a-head, would fain have launched, while the waters were tranquil, the measures of concession he felt to be requisite, and which he knew could only be delayed

* In the present year the Hon. John Vereker, son of one of the stoutest opponents of elective corporations in Ireland, fills the office referred to, and at his inauguration, though a Conservative in opinions, he is reported to have declared that his conduct should be as impartial as that of his first predecessor, Daniel O'Connell.

just long enough to deprive their framers of the grace of granting them. But the earlier days of legislation in the ensuing year, were necessarily devoted to the introduction and carrying of those financial reforms, for which Sir R. Peel had been called to power: and by the time their discussion was finished,* and other indispensable business done, it had become too late to initiate novel schemes of electoral or educational change in Ireland. 1841.

Few Administrations have had so many advantages at starting as that of Sir Robert Peel. In both Houses of Parliament Ministers commanded large majorities, and in the country they enjoyed the *éclat* which attends those who have fairly won their way to power. Their opponents had made the mistake of retaining office by the will of the Court, after they had ceased to exercise any guiding sway over the mind of the nation, or the judgment of the Legislature; and the heaviest charge preferred against them was, that in consequence of their weakness in Parliament, the business of the country was not done. Upon the men who had outbidden them by promises of superior efficiency, it therefore lay to show greater versatility as well as vigour. Sir Robert Peel, then at his best as a parliamentary leader, was sustained by the debating power of Lord Stanley, Sir W. Follett, Strength of Sir R. Peel's Government.

* No less than sixteen divisions were taken on various stages of the Income Tax, and it was not finally carried until the 31st of May.

1841. and Mr Gladstone. But on no one of his colleagues did the Premier rely for such constant and such varied aid in the conduct of affairs as upon Sir James Graham. It was not easy to realize the hopes that had been excited, or to redeem the pledges that had been given regarding taxation and trade. Borne away by the current of party, they had rejected the compromise of a fixed duty on corn, and undertaken to govern the country upon the principle of protection to native and colonial industry. The time was peculiarly unfavourable for the imposition of new burthens; and the Premier avowed his conviction that they had "arrived at the limits of taxation on articles of consumption." An export duty on coals, and an increased charge on Irish spirits and stamps, would yield, it was supposed, £610,000; but as the deficiency was estimated at £2,350,000, the alternative manifestly lay between a loan and an income tax.

His views on direct taxation.

It has been truly observed that all Sir Robert Peel's financial leanings were against a recurrence to the species of direct taxation, condemned in 1816 by the House of Commons.* In 1830 he had resisted Mr Huskisson's suggestion of comprehensive fiscal changes, on the express ground that without resort to a property tax they were impossible,

* Sir S. Northcote: Twenty Years of Financial Policy, p. 29.

and that to that he was not prepared to assent. He had encountered the proposal of Lord Chandos in 1835, to repeal the Malt Tax, by warning the agriculturists how they exchanged its indirect pressure, "for the scourge of a property tax;" and in 1839 his chief argument against Mr Spring Rice's reduction of the charge for postage, had been that it would necessitate a resort to a direct tax on income. In his new Cabinet there was but one man who had ever maintained the opposite view. It will be remembered how, in 1826, Sir James had argued in favour of the principle of a direct impost on income, as the safest and best mode of relieving the industry of the country; how entirely he was identified with the views of Mr Huskisson and Sir Henry Parnell on the subject in 1830; and how zealously he supported Lord Althorpe's attempt to make a beginning in the direction referred to, in the following year. He well knew indeed the hostility which, in whatever shape proposed, the measure was certain to provoke. But his opinion, early formed and strongly confirmed by the judgment of those whom financially he had always most revered, remained unaltered: and by his counsel Sir R. Peel was warmly encouraged to take the course which, not without long and anxious deliberation, he finally resolved on. A charge of 7*d.* in the pound, or somewhat less than three per cent., would yield, it was calculated, £3,350,000 a year; and with the surplus this would 1841.

1842. give, after meeting the existing deficiency, £1,200,000 of customs and excise might be remitted. Something in the way of concession must likewise be offered regarding corn. A modified sliding scale was prepared, by which it was hoped to secure a greater steadiness of price, and in ordinary years to restrain the fluctuations between 58*s.* and 74*s.* a quarter. The highest duty chargeable on foreign grain under Mr Huskisson's Act of 1828 was 38*s.*: the highest amount in future chargeable was to be 20*s.* when the price in the home market was under 52*s.* A progressive diminution was to take place with certain intervals or rests, until at 74*s.* the duty should fall to one shilling. The Duke of Buckingham, rather than sanction this amount of concession, retired from the Cabinet; yet its reception by the Opposition when submitted to Parliament, was discouraging in the extreme: and the Anti-corn Law delegates assembled in London, came to the resolution that "the scheme was an insult to a patient and suffering people." Lord J. Russell proposed a fixed duty by way of amendment. He characterised the ministerial scheme as one which showed a disposition to concede, without the ability to conciliate; and as one that would disturb existing interests and ideas, while it could settle nothing. Sir James replied that Lord John ought to beware of talking of finality. They had both been bred in the same political school; and both had had a hand in pre-

Modified sliding scale.

paring measures, whose framework they had purposely made large, in the hope of their giving permanent satisfaction: yet the noble Lord had found himself compelled to repudiate the notion of finality: and for himself he would say, that experience had taught him never again, in legislation, to think of final settlements. It was only twelve months since 8*s*. had been contended for, as the best basis of rearrangement; yet already its advocates seemed disposed to slip from their moorings. At a recent meeting at Leeds, a banner had been displayed with the device—"Fixed Duty a Fixed Injustice;" and Mr O'Connell had publicly said, "that it was only an instalment, which when conceded would help free-traders to exact the residue." The graduated scale he thought would, upon the whole, combine more of the advantages of foreign competition, with encouragement to the largest extent of corn cultivation at home, which was so desirable. From numerous statistics it appeared, that production had not ceased in consequence of the high price of food, though it was true that the number of hands employed in manufactures had been greatly lessened, by recent improvements in machinery. Ere long that evil would no doubt pass away; and with good harvests the price of bread would fall, though they maintained a modified scale of differential duties. But the interests involved in domestic agriculture were so varied and so vast, that he could not agree 1842.

1842. suddenly to remove from them the protection, on which the Legislature had for five-and-twenty years, taught men to rely.

The amendment was negatived by 349 to 226; and one subsequently moved by Mr C. P. Villiers, in favour of the free importation of corn, found but ninety supporters. On the other hand, attempts to retain a higher scale of protection commanded but 104 votes. The majority of Conservatives in both Houses acquiesced in the ministerial bill, as the best bargain that could be made for them at the time. The tone of its authors in debate filled them with misgivings as to the future. Yet practically it may be said to have been wholly without results. The next three harvests happened to be good; and the protective policy of the new scale was not therefore tested. What was to happen upon the first failure of the harvest we need not here anticipate.

Sir R. Peel's first Budget.

But if Sir R. Peel's first Corn Law was a failure, his first Budget was a great success. Assuming that the revived Income Tax would yield the surplus already mentioned, he undertook to reform the tariff, by reducing the duties on 750 articles of consumption, or abolishing them altogether. The magnitude and diversity of the scheme excited general admiration; while the number of particular interests directly benefited, raised up everywhere zealous partizans. Few ventured to question the accuracy of the Premier's calculations, and fewer could be got to

listen to those who did. Was it likely that the man should be wrong, who could take such a comprehensive view of the necessities of the case, and initiate remedies at once so practical and so bold? The credulous answer to all objections whether reasonable or plausible, was supplied by the assurance of the minister, that it was adopted only as a measure of necessity, and that it would probably be needed only for five years. At every stage it was indeed contested by the Opposition. The preliminary resolutions were debated for eight nights. The inquisitorial nature of the tax, and the inequality of its pressure on fixed and fluctuating incomes, furnished the principal themes of objection. The Home Secretary rested his defence of the bill, upon the necessity for restoring an equilibrium between national receipts and expenditure, upon the expediency, as far as possible, of freeing the raw materials of industry from taxation, and upon the policy of cheapening the cost of living to the great mass of the community. "The Government had exercised prudence and wisdom in yielding to the necessities of the time, and to the wants of the rapidly increasing population of the country. They had taken effective measures gradually to reduce the price of corn, of meat, and of all other articles of first necessity; and he said that the time had arrived, when it was necessary that the supply of food should be proportionably adjusted to the supply of labour. He con-

1842.

Population outgrowing home supply of food.

1842. tended that the time was therefore come, when the Legislature ought, not hastily, because that would only aggravate the evil by leading to a further displacement of labour,—but prudently and cautiously, to effect a simultaneous reduction in the duties on all articles of first necessity. That had been the object with which the Government measures had been framed; and he believed that they would succeed in securing it. He was persuaded that the working classes clearly understood this, and that it was a fixed and rooted belief with them that this tariff, taken in conjunction with the scheme of direct taxation, was one calculated to promote the great interests of the great bulk of the community." Neither Protectionists nor Leaguers would admit at the time the drift of the Premier's and the Home Secretary's reasoning. The landed majority in Parliament had been won upon a cry; and the greater number of those who formed it, practically felt no other responsibility, than that which they owed to their constituents; and considered themselves honourably bound to assent to nothing at variance with the expectations they had undertaken to realize. It is plain enough now that the legislative policy of 1842 was not in accordance with what the agriculturists had been led to anticipate; but the Conservatives had to choose between it and a low fixed duty,—between the retention by their party of long-deferred power, and the return of the Whigs to

office, with the *carte blanche* of indispensability. It 1842.
was not in their nature to hesitate as to which alternative they should take; or, having taken it, that they should not try hard to persuade themselves and others, there was no inconsistency therein. The words of their leaders were in truth full of warning that their whole policy was tentative; and that being based on the avowal of great necessities and great principles, it must stand or fall by its conformity with them. But the country gentlemen, ship-owners, and West India proprietors, who sat behind Ministers, were willing to regard all this as but permissible fanfaronade, to baffle the free-traders; and to interpret literally the vague, and, it must be owned, sometimes florid professions of preference for the landed interest, domestic industry, and rural life, with which the speeches made from the Treasury Bench were garnished. In a word, the inexorable logic of facts and figures was treated as if it were rhetoric; while ministerial rhetoric was relied on as fact. On the other hand, it would have been suicidal on the part of the League, had they taken in discharge of the debt they claimed, official promises to pay at convenience. Its speakers and writers uniformly treated the arguments of Sir James, as admissions that he knew what was right, while he continued to defend what was wrong; and as proofs of insincerity, or incompetency to deal with the circumstances of the time. Had they held any other

1842. tone, the fund of £50,000 would never have been raised, or it would have been raised in vain; the pressure from without would have been removed; the framers of the first tariff, because it proved financially successful, might have been tempted to propose a second; but the total repeal of the Corn Laws within four years, would probably not have been attempted, and would certainly not have been carried. But party warfare is like forensic argument, made up of half-truths throughout, and using not unfrequently the element of seeming injustice, with a view of attaining a decision that is just.

Miscellaneous subjects of debate.

It is impossible even to glance at the variety of questions raised in debate, on each and all of which the Home Secretary was required to pronounce an opinion. In the course of the Session we find him encountering proposals for the introduction of the purchase system in the navy, which he declared "would be neither consonant with the feelings of the service nor of the public, and by which political influence would not be superseded, but which would superadd that of wealth, most injuriously operating to the detriment of unostentatious merit;"* and opposing a motion to close public-houses till one p.m. of Sunday, upon the ground that he could see no objection to the working classes regaling themselves with bread and cheese and a glass of ale; nor to their

* Hansard, Debate in Commons, 22nd March, 1842.

having the innocent gratification of reading the newspapers in those houses.* 1842.

Not long after the change of Government, the Lord Chief Justice of the Queen's Bench in Ireland, and the Lord President of the Court of Session in Scotland, tendered their resignations, and retired upon pensions secured to them by statute. Both had been for some time in declining health, and had availed themselves of the assistance of their colleagues on the bench, in the trial of jury cases. Their predilections were known to be in favour of the new Administration; the inference was natural that they desired for their successors men who entertained like opinions; and in the case of Lord President Hope the fact excited more than ordinary attention, because, coincidently with his resignation, his son was appointed Dean of Faculty. But when Lord J. Russell moved for copies of any correspondence between the Government and the retiring judges, because, as he said, a suspicion prevailed that some negotiation had taken place, or that some understanding had been come to, with the view of inducing them to retire, Sir James expressed his surprise and regret at the motion, which he met with a direct negative. "When at the Bar, Mr Bushe had been a distinguished advocate of Catholic Emancipation. He had been the friend and rival of Mr

Retiring Judges.

Lord Chief Justice Bushe.

* Hansard, vol. lxiii. p. 1099.

1842. Grattan, Mr Curran, and Lord Plunket; he had held office as Solicitor-General under the Whigs in 1807; and he had been raised to the dignity of Lord Chief Justice in 1822, by Lord Wellesley. During the twenty years that had since elapsed, no breath of calumny had sullied his reputation for impartiality, temper, dignity, or care in the discharge of his onerous duties. No condition whatever had been made by him when offering to retire. He had served the public faithfully and long, and he was therefore well entitled to ask for repose. Ought the calm of his declining age to be broken by such an inquiry as the present motion would imply? Similar observations were applicable to Lord President Hope, who had for many years discharged the functions of his office with credit and ability, and who only withdrew into private life when he felt himself no longer equal to them. His son had fairly earned his promotion by his standing at the Scottish Bar, and he was not indebted for it to any corrupt or clandestine bargain. But he would remind the noble Lord that in Ireland it was not only a Lord Chief Justice that had recently retired; they had heard of a Lord Chancellor retiring, not upon the accession of a Government to office, but when a Government had been virtually condemned — condemned by Parliament and the country, and whose continued existence must have been well known to its members to be impossible. They were not left

to vague surmise as to the circumstances under which Lord Plunket had withdrawn from the Bench in Ireland. They were not left to suspect whether the Government had offered some inducement to that noble person to retire from the judgment-seat, when he was quite competent to continue upon it. There was no doubt upon the matter. It was not to be investigated or inquired into, as were the motives which induced Chief Justice Bushe to resign. The circumstances which induced Lord Plunket to resign were known to all the world, having been thus stated by him from the bench:—'I think it a duty which I owe to myself and the members of the Bar, to state that for my retirement I am not in the slightest degree answerable. I have neither directly nor indirectly sanctioned it; and in giving my assent to the proposal which was made to me of retiring, I was governed solely by its having been requested of me—on the ground of public duty? nothing of the kind—but as a personal favour to do so, by a person to whom I owe such deep obligations, that an irresistible sense of gratitude made it impossible for me to do anything but what I have done.' No member of the Government had sought to tamper with either Lord President Hope or Chief Justice Bushe, or to induce either of them to resign; and could he produce to the House those venerable persons, shaken perhaps somewhat with age, but strong in conscious integrity, and bright with the

1842.

Removal of Lord Plunket.

1842. hope of honest fame, mingling with still brighter hopes,—if he could so produce them, he knew such was the generous feeling of the House, that all the angry contentions of party would subside at their presence, and the desire would be unanimous not to curse their retirement with the pangs which a motion like this would inflict. Even the noble Lord would regret that in a hasty moment he had been betrayed into making such a motion as this."

Revision of the borough magistracy.

With reference to the revision of the magistracy in corporate cities and towns, Mr Hutt moved "for copies of circulars from the Home Office, to town clerks and clerks of magistrates, between the months of August and December, 1841." He thought the House would be of opinion that Sir J. Graham had taken a very singular view of his duty, and had most improperly strained the power of the Crown. He had in his hand a list of nearly 400 magistrates appointed during the last eight months, and he should like to know from what motives the right hon. baronet had set about this magistrate-making.

The Home Secretary replied at considerable length and with some warmth. "If the hon. member for Gateshead really entertains the opinion he has expressed, no censure could be too strong; but what is the miserable subterfuge, the wretched evasion by which he escapes from a vote of this House? Why, he concludes with asking for the production of papers which he knows it is impossible for the

Government to refuse. I candidly avow I am, as her Majesty's adviser in this matter, responsible for these appointments, and I do not see any reason for evading the full responsibility of my office. The hon. member says that it is most desirable to have magistrates free from political bias; if it were possible to find such persons, then I agree that it is desirable that those who exercise judicial functions should not form, as the hon. member has termed it, a packed tribunal. But the hon. gentleman says that he has no complaint to make of the individuals appointed by me. I feel as strongly as any hon. member opposite, how great a misfortune it is that the administration of justice should be tainted with party politics; but that was not the case with which I had to deal. I had to deal with a municipal magistracy, steeped to the very lips in party politics; and it was not for me to determine whether a magistracy should be so tainted, but being so tainted, whether I should with firmness and moderation apply a corrective. I found 1026 magistrates nominated by the late Government, of whom the proportions, excluding fifty-seven who act in places where I have made no change in the commission, were these —Whig-Radicals 743, Conservatives 226. That was the sort of equality with which I had to deal, when I came into office. The gross number has been increased by me from 1026 to 1435. I have had the exclusion of particular names pressed 1842.

1842. upon me; but in no instance have I omitted the name of a single magistrate appointed by my predecessor. What has been the result of what I have done? Out of the total number of 1435 magistrates there remains a majority of 743 Whig-Radicals, and a minority of 635 Conservatives. I do appeal, then, with confidence to the House of Commons, and ask whether we deserve that it should be asserted of us that we have swamped the Liberal magistracy in all the municipal corporations of the kingdom? I can have no objection to have my appointments canvassed, and I have not a word to say against the production of the document required."

At the close of an animated debate Mr Hutt replied. "The right hon. baronet had said a great deal about Whig-Radicals. It might be thought that that was a term from which he ought rather to have abstained; for when he (Mr Hutt) went to Hull, in 1831, he found the minds of the people so debauched by the speeches of the right hon. baronet, that they refused to elect him, on the ground that he was not prepared to go as far as Sir J. Graham." * The House laughed, and the subject fell to the ground.

Renewal of Poor Relief Act.

A subject no less important, and in a party sense much more embarrassing, was the new Poor Law. The term for which the commission had been renewed,

* Hansard, 5th May, 1842.

was about to expire, and the duty devolved upon the Home Secretary of introducing a bill, to confirm and continue its powers. He had advocated in 1840, it will be remembered, considerable relaxations of the system of relief, which he regarded as too rigid and uniform: and these modifications were embodied in his bill. Upon its introduction, he entered upon an elaborate retrospect of legislation on the subject, with the view of recalling attention to the magnitude of the evils, which the creation of a central board in 1834 had been intended to restrain, reiterating his unaltered conviction of the wisdom of that measure, and expressing his belief in the necessity of some controlling power, acting discretionally, if the system of unions was to be preserved. Discontent at the rigour with which the workhouse test in many places had been applied, had led to an erroneous impression: that the entire number of persons relieved out of rates had been arbitrarily reduced; and that out-door relief was generally refused. In the quarter ending 31st March, 1842, there were 1,072,860 persons receiving parish relief in England and Wales. Of these, 159,000 had been relieved in the workhouse; and 913,860 in their own dwellings. Nevertheless he admitted that, except in the case of able-bodied men out of work, it was desirable to mitigate the severity of the test; and he was therefore prepared to recommend seven exceptions to its application. Besides the case of widows and infirm persons, 1842.

1842. he proposed that in case of casual sickness, persons might receive parish relief, and not be liable to removal on that account, unless they received relief for forty consecutive days—instead of the existing system with regard to persons who had been long resident, although having no legal settlement, and who when seized with illness had hitherto been denied all relief, except under threat of being expelled the parish on their recovery, if they received a single shilling. But it would be the reverse of humanity, to do anything to revive the old practice, which led the labourer to rely permanently on the rates for a portion of his livelihood. Another important change he sought to introduce had reference to the election of guardians. He proposed to place the owners and occupiers, as to the number of their votes, upon a perfect equality, and to provide that no one should have more proxies than four, that both owner and occupier, up to a rating of £50, should have each one vote, on a rating of £100 two votes, and at £300 both should have six votes; but beyond that neither should have any.

Election of Guardians.

The leading opponents of the system received these concessions as little worth; and great disappointment was manifested at the proposal to continue its existence for five years. In the distressed districts agitation for the Charter, the Short Time Bill, and the Repeal of the Corn Laws, was less active than

that for the abolition of the new Poor Law. The Conservative leaders had indeed one and all expressed their determination to maintain it; but among their adherents many had won their seats at the late general election, by vehement pledges of hostility to the "three kings of Somerset House," as they were called. Government was certain therefore to incur no ordinary amount of obloquy, by the legislative task it now had to perform. When the bill came to be discussed, numerous petitions were presented against it, and an opposition, comprising men of opposite parties, endeavoured to arrest its further progress. No amendment of importance was carried in committee; but Sir James found it impossible to persist in his proposals regarding the mode of election for guardians, without alienating more support than he could dispense with; and he was reluctantly compelled to withdraw them. 1842.

Upon the whole, the Session seemed to justify the anticipations which had been formed of a strong Government. A greater number of important measures had been carried than in any year since 1833; and in no instance had Ministers suffered a defeat. On the eve of the prorogation Sir R. Peel, with pardonable exultation, asked those who still found fault with him for not having extinguished popular distress, — "if the evils under which the country suffered were to be remedied by the removal Boast of Sir R. Peel.

1842. of restrictions, had they not done more to that end during the past Session than any other Administration had effected for many years? Ay, ten times more." This was indeed the triumph of Conservatism; and triumph is an intoxicating draught.

CHAPTER V.

SECRETARY OF STATE.

1843.

1843. The Home Office.

If the position which he now occupied was the busiest, it was also in a certain sense the proudest of his life. He had been, no doubt, a happier and a more hopeful man, as member for Cumberland and First Lord of the Admiralty, in the Cabinet of 1830; but his return for the county had in some measure been owing to the influences of family and fortune; and beyond the sphere of his own department, he was conscious of exercising but a secondary influence in the Government of Lord Grey. Now he had power, great and all but commanding power: and he felt that he owed it to himself alone. Was it wonderful if he did not always seem to bear it meekly? For seven years he had been baited, as few men of blameless life and personal integrity have been in our time. Stung by the intolerable sense of party injustice, he had suffered himself to be driven

1843 on more than one occasion further into hostility to popular views and feelings, than once he would have believed. It could hardly be expected that when fortune seemed at last to turn, and he found himself one of the heads of an Administration, the strongest in abilities and adherence which had existed since the days of Pitt, he should stifle the sense of exultation, or show much consideration for those from whom he had received none. The Whigs, as competitors for power, seemed for the moment prostrate. They had clung to place too long; and even before their fall, the prelude was not indistinctly heard of revived agitation in Ireland against the Union, and in England the preparatory sounds of the far more formidable, because more practical, combination against the Corn Laws. Yet both rapidly acquired vigour and consistency, from the day that the Conservative Administration was formed. In spite of all its social and political weight, the new Government was soon to find itself derided and defied on either side of the Channel, in a manner sufficiently trying to tempers the best disciplined. Equanimity was not the *forte* of its more conspicuous members; and even the wary Premier was sometimes carried away by the sense of his unpopularity, and the odium heaped upon him for his resistance to importunate demands. Had the chief of the Home Department been a different sort of man, he might have done something to allay the rising storm of irritation against the existing state of

Severity of official manner.

the laws and their administration. But to the arts of conciliation, he seemed to think it unworthy of a Minister to stoop. To policy or reason he was ready to concede; but amid clamour he grew sulky, and his answer to threats was generally conveyed in a tone that savoured so much of arrogance and scorn as to render their reiteration certain. He would initiate change if the initiation were left to him and those he acted with. It was not his way to do anything by halves, but having once made up his mind to a particular line of conduct, his disposition led him to pursue it, unmindful of importunity or deprecation. There was in him, it must be owned, sometimes too much of a haughty and imperious mood, which especially betrayed itself in his demeanour as a Minister. He seemed as though he were haunted by a morbid fear of appearing (as he phrased it) "to be hustled into doing anything by the mere pressure from without," so long as he believed that pressure could be resisted. With ear ever straining to catch the murmurs of popular discontent, and tongue ever ready to plead in council for the wisdom of satisfying complaint betimes, he spoke and acted in public like one who fancied it a duty to flout demagogism, and to overawe the voice of querulous or menacing remonstrance. Once satisfied indeed that the change must sooner or later come, he was eager and urgent that the hour of grace should not be lost. Authority should

1843.

His views regarding concession.

1843. appear freely to confer a boon, instead of being compelled, when hunted hard, to drop it with a curse. There was in him indeed a strange commixture of forethought in council, and rashness in speech,—of forethought that seemed akin to fear, and which indulged in gloomy apprehensions of evil to come, —and of recklessness in refusing as long as possible to yield to what he called democratic dictation. The official inside and the official outside of the man never wholly matched. As confidential adviser of the Crown, there were few things he would not concede for peace sake, and in obedience to that great law of public opinion, which from the outset he held paramount to all party policy or class interest. But as Secretary of State, there was none who put so high the pretensions of constituted authority, or who challenged so peremptorily, anything he deemed an infringement on the respect due to order and law.

Disruption of Scottish Kirk.

It happened unluckily for him, and for the Government in which he bore so prominent a part, that in each of the three kingdoms agitation was already arising in forms and upon questions, ill suited to the mode of treatment adopted by the Home Secretary. The Scottish Church was threatened with disruption on the subject of patronage. Lord Aberdeen's opinion on the question governed the Cabinet. A bill, of which he was the author, had been carried two years before, by which he had con-

fidently promised a peaceful settlement of the contro- 1843.
versy. But this hope proved illusive. The proprietors of landed estates in Scotland refused to surrender their ecclesiastical patronage; and upon an appeal from the local tribunals, their right to impose unacceptable ministers upon the laity was held by the House of Lords, to be incontestable in point of law. The principle acted upon by the Home Secretary, when advising the Crown as to the exercise of ecclesiastical patronage in Scotland, was that of endeavouring to afford a triumph to neither party. He explained this purpose very fully in the course of the debate on a motion by Sir A. Leith Hay, for corre- 15th March.
spondence regarding the appointment of ministers in Elgin, Cupar, and other places, pending the legal controversy. Mr Fox Maule and other friends of the Free Kirk upbraided him with paying no more regard to the preponderant opinion of a congregation, than to that of a small minority; and he was told in passionate terms by members who usually supported Government, that his declared resolution to enforce the law, would prove abortive. His speech, though couched in terms of the utmost respect for the Presbyterian clergy, was in consequence treated in Scotland as a threat, and he became personally an object of great unpopularity. Yet he had done little more than formally announce the decision of the Cabinet; and that decision having been come to, it is not easy to perceive how he could have done less.

1843. Interview at the Home Office.

But his administrative demeanour was less conciliatory on the question. A gifted and accomplished friend, whose advice he highly valued, early in 1843 deemed it right to warn him, with the unreserve their intimacy allowed, of the danger to the unity of the Scottish Church from the course he and his colleagues were pursuing; and failing to convince him of the resolute purpose of the Non-Intrusionists to persist to the end, he proposed that he should hear what Mr ———, who then represented one of the counties of Scotland, could tell him from his own personal knowledge of the actual state of feeling north of the Tweed. Sir James, who was in truth full of solicitude on the subject, readily assented; for he knew the worth of the opinion he had been asked to consult. The interview was arranged for an early day at the Home Office; Sir James's manner was frigid in the extreme. He listened to what was said with a sceptical look and air, the effect of which upon the frank and earnest man who addressed him could not be mistaken. Ere long the door opened, and Lord Aberdeen was announced; and soon afterwards Sir Robert Peel came in. His Lordship's manner of dealing with the question contrasted painfully with that of the Home Secretary. He was quite as decided against yielding the legal right in dispute, but he was gentle and deprecatory in tone throughout; and when at one point of the dis-

cussion, which turned upon a question of vested interests, Sir James asked somewhat ungraciously whether he was to build a bridge of gold for the threatened Secessionists to pass over, Lord Aberdeen exclaimed, "Yes, I would, no matter what it cost, if that would do!" Sir Robert listened and said little. He asked if it was really believed that any great number of the parochial ministers, when it came to the point, would give up their benefices? On being told that they would, he rejoined somewhat superciliously that *his* information led him to form a very different anticipation. The conference lasted a good while, and left on those present but one conviction in common, namely, that there was no chance of an accommodation. "Yet I well recollect," says Mr Colquhoun, "the anxiety with which he watched the rising of the ferment in Scotland. He knew the character of the people, the depth, fervour, and tenacity of their convictions. He saw while the cloud was still small, how it might gather into a hurricane. On this subject he certainly did not do himself justice. I suspect very few in Scotland knew how much the question cost him,—what hours of anxiety beforehand and what after regrets. The esteem which he cherished for Dr Chalmers and many of his associates, made him feel the disruption deeply; and the extent of the eventual calamity he presaged with a sagacity which seldom failed him." 1843.

1843. The General Assembly.

A memorial from the General Assembly called on the Government for some remedial measure. The answer was officially given in a letter from the Home Secretary, and bore his name. It recapitulated the principal facts and arguments which had formed the topics of dispute, and concluded by the uncompromising declaration, that "Her Majesty's Ministers, now understanding that nothing less than the total abrogation of the rights of the Crown, and of other patrons, will satisfy the Church, are bound with firmness to declare that they cannot advise her Majesty to consent to the grant of any such demand." The Cabinet had been led to form the resolution thus peremptorily conveyed, by the assurances of Lords Aberdeen and Haddington, that when it came to the point of surrendering their stipends, or abandoning their consistency, the great body of the clergy would yield. The event signally falsified this anticipation. Appeal having been made in vain to the House of Commons, which by a majority of 211 to 76 declined to interfere, the final resolution was taken to secede from the Established Kirk. On the 18th May a Declaration to that effect was read to the General Assembly by the Moderator on his own behalf and of 168 of his brethren, including Dr Chalmers, Dr Candlish, Dr Guthrie, Dr Cunningham, and most of the teachers eminent for their talent, worth, and piety. At its conclusion they rose from their seats in St Andrew's

church, and slowly quitting the venerable pile, walked in solemn procession to a hall at some distance prepared for their reception, where they were joined by 300 more of the seceding clergy. The enthusiasm of the laity which this spectacle kindled, did not evaporate in idle plaudits. In a few weeks £300,000 was subscribed towards the endowment of a national Kirk, and in the course of a few years the contributions for this purpose reached two millions sterling. Whether the interests of religion have been injured, by the termination to which the non-intrusion controversy was thus brought in 1843, may be questioned; but of the disappointment and discomfiture of the Administration of the day there can be no question. There is reason to believe that in after years Sir James looked back with deep regret, upon the course which had been followed by the Government in 1843; and that he was convinced when too late of the error into which, in deference to the judgment of others, he himself had fallen.* 1843. Subsequent opinions on the question.

The most notable measure of the Session of 1843 was a Bill for the amendment of the Factory Act, passed in 1833, and which confessedly had to a great extent failed of accomplishing its intended objects. The new measure, as described by the Home Secre- 24th March. Factories Bill.

* This impression has been recently confirmed by a speech of Mr A. M. Dunlop, M.P., on laying the foundation-stone of a new Presbyterian Church at Carlisle, Sept., 1862.

1843. Education clauses.

tary, was meant to impose no material restrictions of a novel kind on the nature or time of labour. Its principal provisions related to the establishment throughout the manufacturing districts, of schools to be supported by rates, the attendance at which should be compulsory on all children employed in factories. These schools were to be vested in trustees, consisting in part of parochial clergy, churchwardens of parishes, employers, and other persons of property. The Church Catechism was not to be made an indispensable part of the system of teaching; and proselytism was disavowed as one of its objects. But the schoolmaster was to be subject in every case to the approval of the Bishop of the diocese; and the general tenour of the plan was unquestionably calculated to augment the influence of the Establishment. Objections without number were raised on points of detail, some well founded, others perhaps based on imaginary dangers. But about the general tendency of the proposed measure nearly all were agreed. It must gradually subvert and supersede the Independent schools, which had been established by the spontaneous charity of individuals and congregations, and especially those which owed their origin and success to the working of the British and Foreign School Society. Sooner or later a uniform system of Anglican teaching would obviously be introduced, instead of that which prevailed, and which naturally reflected every diversity of creed. All sects of Non-

conformists concurred in opposing the Bill. The table of the Commons was laden with petitions; and irrespective of party ties, great exertions were made to swell the ranks of its opponents. Yet the second reading was carried without a division; a fact only to be accounted for by the irresistible weight of evidence, adduced to show the want of adequate means of primary instruction that still existed, notwithstanding all the praiseworthy efforts voluntarily made. Lord Ashley depicted the condition of things among the operatives of Manchester, in a light truly deplorable, as proof of the insufficiency of Dissenters' schools, in a district where they boasted of peculiar activity. Mr Cobden retorted by showing that the state of the working population of Westminster was infinitely worse, notwithstanding the number and wealth of its capitular clergy. But that the ministerial project should have ever got into committee, was in no small degree owing to the conciliatory tone of Sir J. Graham, who professed his readiness to entertain suggestions for its modification in detail, with so much earnestness, that Sir Robert Inglis grew alarmed lest the "supreme functions of the Church as the instructress of the people," already too much encroached on he said by the Committee of the Privy Council, should be further limited, in the desire to disarm Dissenting opposition. He therefore gave Ministers formal notice that if they should evince too conciliatory a spirit towards the Opposi- 1843.

1843. "tion, they must prepare to lose the cordial support of that numerous section whose sentiments he spoke." It was doubtless in the hope of deprecating successfully these conflicting species of hostility, that the Home Secretary thus described the views and aims of Government, in bringing forward the measure.

Speech of Sir James.

"I give the Dissenters ample credit for what they have done; I think their exertions have been praiseworthy in the extreme. The Church of England, not having means at command, was unable, without the assistance of the Dissenters, to rescue the manufacturing population, which had rapidly grown up in certain districts, from the state of ignorance in which they were placed. In order to accomplish that great object, the Dissenters honourably contributed the most important aid; and in my judgment, nothing could be more mischievous, than to disparage the exertions of the Dissenters in the cause of education, or to do anything which could lead to the cessation of those useful efforts. At the same time I would entreat the House to bear in mind, that the difficulties of the case must be met by the executive Government, and that it is necessary, when the means and appliances of the State are called into requisition, that the scheme to be adopted should harmonize with the form of Government, and with the constitution under which we live. I am satisfied that without the cordial co-operation of the Church established by law, no large measure of education can be carried into effect in this country; and I go further, and say that without such co-operation, no Government would be justified

* Hansard, Debate on second reading, March 24th, 1843.

in attempting to carry it into effect. The object of the Go- 1843.
vernment is to establish a system of education, extensive in its operation, and not confined to any one religious sect; and they invite the co-operation of the Church, to enable them to carry it into effect, with a due regard to the principles of toleration, and with the respect which must be rendered to the honest scruples of Dissenters. I admit that this object is difficult to attain, but we have honestly attempted it. I believe that the time has arrived; when it becomes the indispensable duty of the Government to make a decided effort to effect the great object to which I have adverted. If we had entertained any doubts upon the subject previously, the events of last autumn would have convinced us, that not a moment should be lost in endeavouring to impart the blessing of a sound education to the rising generation in the manufacturing districts. I speak in the presence of gentlemen, whose local knowledge will enable them to set me right, if I state what is incorrect; but I am informed that the turbulent masses, who in the course of last autumn threatened the safety of property, and disturbed the public peace in the manufacturing districts, were remarkable for the youth of the parties composing them. I am told that, speaking generally, the age of the individuals who composed these turbulent multitudes, ranged between eighteen and twenty-two. This circumstance shows the danger of neglecting the education of the rising generation. If some years ago we could have been so fortunate, as to agree upon some such comprehensive scheme of education as that which is now proposed,—if we could but have done so only ten years ago, my firm belief is, that the outrages which took place last autumn, and which at one time threatened such serious results, would never have taken place. Under these circumstances, I and my colleagues considered it our bounden

1843. duty to introduce a measure, which we believe to be sound in principle, large in its extent, and capable, if it should receive the sanction of Parliament, of effecting the object we all have in view. Nothing that I have heard in the course of the present discussion, has shaken my belief that the measure is conceived in a spirit of perfect fairness, that it is tolerant in its provisions, that it would prove just in its operation, and that it would be effectual for its purpose. At all events, we have relieved ourselves from the weight of responsibility which would have attached to us, had we failed to bring forward some such measure as this."*

Proposed modifications.

Some weeks were suffered to elapse before the House was called upon to go into committee on the bill; and in the interval, various intimations were given that Government were not disinclined to modify its details in such a manner, as would satisfy the less vehement of its opponents. On the 1st May the Home Secretary announced the numerous modifications, which he and his colleagues had agreed to propose. He did not affect to regard them as compromising, in any sense, the spirit in which the measure had originally been framed; but he frankly owned that the depth and intensity of the feelings of antagonism it had evoked, had taken its authors somewhat by surprise; and that rather than forego all hope of remedial legislation, they felt bound to waive many points of detail, which in argument they still thought they might reasonably defend. After

* Hansard, 24th March, 1843.

a careful exposition of the changes thus submitted to the House, and a declaration that ample time should be afforded for their consideration, he thus concluded :— 1843.

"No man in this House can more deprecate the introduction of religious topics into our debates than I do; but yet I feel that the difficulties which the present measure has to contend against in this House, are connected with honest religious differences. How is it however that in England, the pride of Christendom,—England, the mistress of the seas, that sends forth her commerce, her language, her manners, her arts, and more than all these, her missionaries and her religion, to the utmost parts of the earth,—how is it that in the heart of this very country, in this fair England, so great a mass of ignorance and infidelity—infidelity arising not from the perversion of the reasoning powers, but from want of knowing the saving truths of the Gospel—should be found? And how is it too, that at the same time, such strife, such anger, should be exhibited in the name of religion? Is it any mark of sincerity, either in Churchmen or Dissenters, that they should mingle with religion bitter and angry controversy? The great author of the Christian faith has left mankind to the latest day, a test by which the sincerity of his followers may be tried. He has said, 'By this shall all men know whether ye are my disciples, if ye love one another.' In the early time, when the small band of Christians, with all its privations and its wants, was exposed to every species of suffering, extending even to martyrdom, the distinguished characteristic to which I have referred attracted the notice of the Heathen, and they exclaimed,—'See how these Christians love

1843. one another.' In these latter days the sceptic may point with scorn and derision at professing Christians, and observe,—'See how these Christians hate and despise each other.' Alas! these are the difficulties with which we have to contend; but I ask the House to continue to manifest the spirit in which it received what I before addressed to it, as well as what I have ventured to state on this occasion; and I say, let us elevate our hearts and minds, let us act the part of Christian legislators, and evince that we are worthy of our high vocation. I am aware—for the symptoms are too evident—that upon this question the waters of strife have overflowed, and that they now cover the land; this [the modified bill the right hon. baronet then placed upon the table]—this is my olive branch. I tender it in the hope that the harbinger of peace, ere long, may return, with the glad tidings that the waters have subsided. On the part of the Government, I tender this peace-offering in the spirit of concord and of Christian charity and good-will. I will not yet abandon the hope that if it be received, at least in this House, in a corresponding spirit, it will still be possible to effect an object which concerns, in the highest degree, not only the temporal but the eternal welfare of a great body of our fellow-subjects; and which if accomplished, will redound to the lasting renown of the House."*

But no conjuration could now still the storm. Public meetings voted the ministerial concessions inadequate; and petitions continued to rain on both Houses of Parliament without intermission. Fifty-five thousand persons signed a protest in the city of

* Hansard, May 1st, 1843.

London against the further progress of the bill; and 200 petitions were presented by one honourable member. There was no resisting opposition so widespread and so determined; and on the 15th of June Sir James Graham, with many expressions of regret, announced that Government had resolved to withdraw the education clauses of the measure. The Session was then too far advanced, he thought, for proceeding with its other provisions; and he consequently declared it to be his intention to re-introduce them in the form of a new bill early in the following year. 1843.

Not more successful was the attempt to reform the Ecclesiastical Courts. For many years the anomalous state of the tribunals exercising testamentary jurisdiction over personal property, had formed the subject of reasonable complaint. No fewer than 372 Ecclesiastical Courts asserted their authority, in matters of probate and administration in England and Wales. Their decisions were continually in conflict, as to the validity of wills, with those of the Courts of Common Law; and the delay, expense, and uncertainty incident to their proceedings, were admitted on all hands. Reports of commissioners and of committees of both Houses, had pointed to the erection of a central tribunal, under the authority of the Crown, as the best remedy for existing evils; and previous Administrations had attempted, though in vain, to carry this recommendation into effect. A measure was introduced by the Home Secretary early in the Ecclesiastical Courts.

1843. Session, which aimed at this object. But it soon appeared that there were combined against it, not only the theoretical scruples of many, who, like Sir Robert Inglis, regarded it as a step towards the dissociation of Church and State, and the practical objections of certain members of the Opposition, who found fault with its details, and accused Ministers of seeking to augment their own patronage; but what was far more difficult to deal with than either; the professional hostility of the numerous practitioners in the antiquated diocesan courts, who felt that if the bill should pass, a lucrative part of their occupation would be gone. On the second reading, Sir James thought it right to put the real nature of the powerful opposition organized against the measure, plainly to the House.

"My answer to the question, from whom does this bill emanate, is this—I have the opinion of three Chancellors in favour of the measure; I have the opinion of the Ecclesiastical Commissioners in favour of it; I have the opinion of Attorney-generals on both sides of the House in favour of it; I have the report of a committee of the House of Lords in favour of it; I have the report of a committee of the House of Commons in favour of it. Upon principle, then, I cannot yield to the opposition to this bill, and the details of it rest upon the most minute investigation bestowed by the highest authority. With all defer-

ence therefore I must say, that if the House should think proper to reject this bill, I cannot offer any measure likely to be more acceptable in details. It is a question of principle to be decided by the House; and if it should be their pleasure to reject it, I shall deplore the decision. I shall believe that those reasons which I have already alluded to have been triumphant; and with pain I must come to the conclusion that private interests have prevailed over public considerations; and that a measure, which in my conscience I believe to be sound and beneficial, has been defeated by a combination, such as I am unwilling to characterize."* 1843.

Much irritation was manifested at the uncere- Opposition of vested interests.
monious candour of the right hon. baronet; and in the course of the adjourned debate, he explained that it was not his intention to impeach the motives of any individual, but to deprecate the sinister influences that were widely at work. So convinced however were Ministers of the worthlessness of the pretences relied on, and the injustice of the imputations cast upon them for persevering with the bill, that even the phlegmatic Premier, at the close of a long and elaborate speech, in which he showed how little any Government had to gain, and how much it had to lose, by pressing for a substantive reform of this description, exclaimed with unusual vehemence,

* Hansard, 10th April, 1843.

1843. "So help me God, I for my own part am influenced in my course by no sinister, corrupt, or dishonest motives." On a division, a majority of eighty-two appeared for the second reading. Nevertheless, the warning given at the close of the debate by Mr Labouchere, was destined to prove true; and Ministers found, as Cromwell said he had done, when he tried to reform abuses in Chancery, that "the sons of Zeruiah were too strong for him." In spite of all the eloquence of exposure and all the pleadings of true policy, the three hundred and seventy make-believe courts, were suffered to remain unshorn of their privilege of mischief. Fitly indeed were they characterized as Peculiars, being like nothing in Westminster above, or the Local Courts beneath, or the tribunals which the poets described as exercising jurisdiction under the earth; but were constituted without regard to competency, paid without regard to legality, conducted without pretence to uniformity, and defended, for sake of the irresponsibly exercised patronage they gave, without shame. The Bill of 1843 was reluctantly abandoned by its author; and few were found for many years disposed to meddle with the subject. The flagrancy of the injustice and scandal, which admitted of no serious controversy, seemed to secure them from parliamentary molestation. Though the harvest of weeds was plenteous, the legislative labourers willing to lend a hand in cutting them down were few. This was not a fresh griev-

ance with startling novelties and picturesque details, 1843.
likely to draw full houses by its discussion, or calculated to cause a party whip to be brought to the test by a vote. It was a mere old and ugly fossil fact, which everybody knew all about, and which no ambitious senator seemed to think worthy of his sling: and so for ten years more, the absurdities and exactions of the system of Peculiars enjoyed a reprieve.

Meanwhile the attention of Sir James had been anxiously given to the various subjects of complaint in Ireland which he felt demanded remedial legislation. Soon after his accession to office, he had instituted a variety of minute inquiries, into the condition of things actually existing there. The information he received, convinced him that under the working of the Irish Reform Act, the county constituencies were rapidly diminishing; and that any measure of more stringent registration, like that proposed by Lord Stanley in 1840, if unaccompanied by a considerable extension of the suffrage, would necessarily have the effect of extinguishing those constituencies altogether, as independent political bodies. Writing to Lord de Grey, then Viceroy, in the winter of 1842, he suggested the preparation of a suitable measure for this purpose; and referring to the prevalent indisposition on the part of Irish landlords, to grant such leases as would give the occupiers of land a claim to vote, he pointed out that the only alterna- Irish county constituencies.

1843. tive lay, in conferring county franchise upon occupancy without reference to tenure, the value being tested by the amount of rates payable alone. He looked forward in truth with impatience to the time, when he should be able to bring forward several bills, of which this was to be one, conceived in a conciliatory spirit, and calculated, as he believed, to improve the social and political state of Ireland. Agitation seemed to slumber. Young Ireland was indeed beginning to attract notice by the versatility and vigour of its writings; and outside the sphere of its direct influence, resuscitated feelings of nationality were displaying themselves, in many ways not previously observable. A keen sense of the neglect and contempt with which local opinion, when not politically spasmodic, appeared to be treated by every Government, whether Whig or Tory, had slowly but steadily been gaining strength. Conservatives and Liberals concurred in the indignant protest with which the members of the bar resented Lord Plunket's expulsion from the Chancery bench, for the purpose of placing Lord Campbell in his room: and though the subsequent appointment of Sir Edward Sugden was neither taken as an offence, nor looked upon as a job, it contributed, when regarded in conjunction with other appointments, to keep alive the sentiment of national wrong. Such elements of discontent however were not easily appreciable at a distance, by those in power. The "great agitator"

appeared to be engrossed during 1842 with his municipal duties as Lord Mayor of Dublin; and the revived movement for repeal showed few symptoms of progress among the middle classes of the community. But in the spring of 1843 Mr O'Connell, having resigned his civic magistracy, commenced the memorable series of open-air assemblages, which under the name of Monster meetings, soon riveted universal attention. The multitudes thus congregated together in perfect order, the unanimity of their proceedings, and the sobriety and peaceableness with which they dispersed, extorted the admiration even of those, who regarded them with most disapproval and fear. Nearly the whole adult male population of the districts where they were held, joined in these demonstrations; and by degrees their sympathetic influence appeared to grow irresistible. The wealth and intelligence of the Catholic class, and to some extent of the Catholic gentry, was drawn into the movement. Decorous language towards the Sovereign was scrupulously observed; and the dividing line of religious difference was carefully kept out of sight, by those who generally took part in the proceedings. Young Ireland exulted in the foreshadowing, as it believed, of a national revolution, which was to bring about absolute independence, and daily grew more bold in its expressions of confidence in the display of physical force. Arms were not yet brandished, because the time for using

1843.

Monster meetings.

1843. them had not come; but the serried ranks of discontent were already to be seen, and the materials for insurgent hosts were marshalled in preparatory array. Mr O'Connell steadily adhered to his shibboleth of moral force, although it was no longer possible to disguise from himself or others, the magnitude of the physical power that had suddenly risen up, as if by enchantment, around him. He began to feel that, as in 1829, the menace of an appeal to its uplifted arm, might tell with the Government far more than eloquence or argument; and though he himself avoided, and sometimes reproved the threatening language used by his youthful allies, he came to believe in no slight degree, in the potency of their daring explanation of his "peaceful and constitutional scheme," for repealing the Union. "Is this what you call moral force?" said a friend to him, after one of the greatest and most excited of the Monster meetings. "Yes," he replied; "don't you understand that moral force is the moral power of physical force?" This was his idea; and on his power of directing and controlling its development, he staked all.

Apprehensions of the Government.

Government marked with daily increasing anxiety what was going on. So long as the peace was unbroken, and that no man could say he was injured in his property or placed in bodily fear, they shrunk from resorting to legal means for arresting the progress of agitation, and they had at their disposal no

moral influence in Ireland, capable of holding it in check. They had been two years in office without carrying any measure calculated to allay discontent; and now they hesitated, lest they should seem to be yielding to fear, what they had not conceded to a sense of policy or justice. About this time Mr G. A. Hamilton received an intimation (through Lord Farnham) that the Home Secretary was desirous of seeing him, in order that he might have some conversation with him on subjects connected with Ireland. He said he was aware of the terms of intimacy on which Mr Hamilton stood with Sir Robert Peel, and that the latter had expressed to him a wish, that they should become acquainted. "Sir Robert Peel had some time previously," says Mr Hamilton, "kindly asked me to call upon him any morning I chose, at White Hall Gardens, and when I did so, which was not unfrequently, he encouraged me to speak to him without reserve on all subjects of public interest. I shall never forget the pleasure and instruction of those interviews. I gathered from the communication I had had through Lord Farnham, that Sir James was desirous of establishing a somewhat similar relation; he took me accordingly to the Home Office, introduced me to Sir James, and left us together. The conversation I had with him on that occasion was very long and very interesting, I think it lasted upwards of three hours. I went there with the intention of stating my opinion and the grounds of it, without

1843.

Interview with Mr G. A. Hamilton.

1843. the least reserve, upon every or any subject respecting which he might ask me any question. There was scarcely a topic connected with Ireland, which did not form a subject of our conversation at that interview, — Land Tenure, Relation of Landlord and Tenant, Improvement of Wastes, Incumbrances of Landlords, Complication of Property, Effect of Law of Judgments and of Entail, Public Works in all their bearings, Grand Jury Laws, Repression of Crime, Penal Statutes, Repeal of the Union, Maynooth, Education, Established Church, Endowment of Roman Catholic Church, &c. I could not give even an outline of the observations Sir James Graham made on these several great subjects, nor would it be perhaps proper for me to do so; for I considered the conversation as quite free and confidential on both sides. But I may mention the conclusion of our interview. We had been discussing the Repeal of the Union, O'Connell's great influence, my two contests with him in 1835 and 1837, the Established Church, and the endowment of the Roman Catholic Church, and Maynooth. I had stated with the utmost frankness my opinion in opposition to the latter measure. He evinced surprise (using complimentary expressions regarding my previous remarks on other subjects, and my general knowledge of Ireland) that I should take what he thought a contracted view, with reference to a subject considered by him as vital, and our discussion became animated. I assured

him that my convictions on that subject were not merely those of the member for the University of Dublin, nor solely those which were the result of a strong religious view of the matter; though I did not deny that I was influenced by both considerations. I urged the political anomaly of a Protestant State, while professing to be, and actually retaining its character as such, endowing a Church necessarily and conscientiously hostile to its essential Protestantism. I remember stating to him an expression of Mr Canning, which I well recollect his using, when speaking to me, almost as a boy, on the subject of Emancipation. It was to this effect, that he considered the Emancipation of the Roman Catholics sound in principle and right in policy; he had always advocated it and always would; but he never would be a party to forcing it upon the British people. If it were not forced, he relied upon the good sense and judgment and justice of the people of England, and had no doubt that Emancipation would in time be carried; but he added that he thought any attempt to force it would retard it, for that there was a mass of latent Protestant feeling among the people of England which might be aroused, and which would prove fatal to the object and to the Minister who aroused it. I remember Sir James Graham getting up, putting his hand to his heart, and expressing himself to the following effect:—'There are two points with respect to which my mind is unalterably made up as 1843.

1843. regards Ireland. The first is the Repeal of the Union. It must be resisted by force if necessary. The second is the maintenance of the Established Church.' Upon that he said he had made sacrifices, the extent of which it would be impossible for me to appreciate. He had done so cheerfully, because it was the conviction of his heart that the Church in Ireland must be maintained as inviolably as the Union; 'but,' his expression was, 'with these two paramount objects, I must bear in mind that the great body of the people of Ireland belong to the Roman Catholic religion, and I cannot suffer them to be fused into one mass of disloyalty and disaffection.' I concluded from our conversation, that he had in mind then, the endowment of Maynooth and of the Roman Catholic clergy; and, differing from him on those points, I did not of course expect, nor did I endeavour to cultivate, any further confidential conversation. Sir Robert Peel soon after, in a very complimentary letter, asked me to be one of the Devon commission; out of which the Encumbered Estates Court, and nearly all the other measures which have since tended to alter the social condition of Ireland, arose. I had frequent and most friendly communications with Sir James Graham, scarcely interrupted either by the part I took against the endowment of Maynooth, or even by my inability to support Sir Robert Peel in his commercial policy of 1846. I considered Sir James Graham's policy as regards

Ireland was summed up in the sentiment which he expressed to me; and that his object as a statesman, was to conciliate the Roman Catholics, while maintaining the Union and the Established Church; and that to effect that object, there was scarcely any length, with regard either to measures or men, which he would not have felt himself justified in going." 1843.

The Irish Arms Bill.

On several of the subjects adverted to in this conversation, Sir James contemplated practical measures of improvement. A royal commission was not long afterwards appointed, of which Lord Devon was chairman, and of which Mr Hamilton, Mr Redington, Sir R. A. Ferguson, and Mr Wynne, were members, to inquire into the whole subject of the occupancy of land in Ireland, with a view to the suggestion of remedies for the evils loudly complained of. All the members of the Commission were identified by birth or property with that portion of the kingdom; and the result of their investigations, was one of the most comprehensive and suggestive reports ever submitted to Parliament. With reference to the county franchise it appeared indispensable that a revision of the Poor Law valuations originally made, should take place, in order that a sound and equable basis of rating should be obtained. Steps were promptly taken for that purpose; and in the course of the Session, the Home Secretary undertook that a suitable measure for the re-enfranchisement of Irish counties

1843. should be brought forward. Collegiate education likewise occupied his thoughts. He had already collected a great mass of information on the subject; and he now placed himself in communication with several individuals, whose experience and advice he deemed it important to obtain, the better to enable him to elaborate a comprehensive scheme. But another and a very different question connected with Ireland, was destined to engross a considerable part of the Session, to the exclusion of more profitable deliberations. The Irish Registration of Arms Act of 1838 was about to expire, and in the troubled and excited condition of the country, the local Executive urged that it should be renewed, with certain modifications. Some of these rendered its provisions more stringent; others were framed in a different sense. Substantially the new bill was identical in scope and tenour with the Act passed by Lord Melbourne's Government; and when introduced in 1843, few persons expected that it would encounter any serious opposition. But the Irish Liberal members who refused to absent themselves from Parliament, to aid the Repeal movement, availed themselves of the opportunity for debating the whole question—how Ireland should be governed. The measure itself they had one and all supported when the Whigs were in office; but they justified their opposition to it now, upon the ground that it was coercion without conciliation, and that no executive

was warranted in demanding exceptional powers of repression, in a country like Ireland, when it excluded from office all who belonged to the creed of four-fifths of the people. Ministers replied, that if their appointments were exclusively Protestant, it was not the result of invidious preference on their part. They would gladly have it otherwise; but with hardly an exception, the whole Catholic body belonged to the party of their opponents: and they could not be expected to pass over faithful political friends, to confer office upon their avowed adversaries. The majority of the House of Commons cheered this species of argument, as if it were an answer to the charge of attempting to carry on Government on anti-national principles; or as if its utterance did not necessarily tend to exasperate the feelings, out of which the cry for Repeal had sprung. In his speech on the second reading, Sir James recapitulated the successive acts of concession, which had been passed since the Relief Bill of 1829, and asked whether the promises of contentment held out when they were proposed, had not been falsified. After six years' administration of Irish affairs under Lords Normanby and Fortescue, agitation had burst forth with more violence than ever; the existence of the Church Establishment was again assailed, and the disruption of the empire openly threatened. If such were the only consequences of concession, then he should be driven to the belief that "concession had reached its

1843.

29th May.

Concession had reached its limits.

1843. limits."* The phrase was fastened on by his opponents in debate, and re-echoed with inflammatory comment in Ireland. It had been used without premeditation, and certainly did not express the prevalent feeling of his mind. But it served the party turn quite as effectually as if it had done so, and for the moment added fuel to the flame. When taxed with the expression on a subsequent stage of the bill, he declared his deep regret that anything should have fallen from him, which would bear being construed into an insult to the Roman Catholics. He had not said that nothing more could be conceded to them; on the contrary, he had announced the intention of Government to propose in their Irish Poor Relief Bill, a new valuation, which would give considerable extension to the county franchise. It was important that the House should express a decided opinion on the present motion, which substantially was one involving the whole question of the Government policy towards Ireland. Their object was to give full and fair effect to the Roman Catholic Relief Act; and to do all in their power to carry such measures, as would evince their earnest desire to improve the condition of all classes in that country. But the crisis was one of difficulty and danger. Civil war, much as he should deprecate such an awful calamity, would be safer than the Repeal of the Union, and if the House confided in Government, no undue obstruction ought to

* Hansard, Debate on Arms Bill, 29th May, 1843.

be offered to necessary measures, such as the Arms Bill; for delay and irresolution would increase the danger a hundred-fold, and if they hesitated to repress the seditious spirit which was at work in the struggle for Repeal, the glory of the empire was departed. 1843.

The language of Lord J. Russell on the duty of Government "to resist the Repeal of the Union by force, should any attempt be made by force to carry it," was equally strong; but he reiterated more than once his opinion that peace or contentment could never be permanently expected in Ireland, until the ecclesiastical system there was changed. "He would not destroy the Established Church; but he thought the Roman Catholic bishops and clergy ought to be put upon a footing of perfect equality with the Protestant bishops and clergy." Lord Howick and Lord Palmerston expressed similar opinions.* Sir R. Peel doubted whether any declaration made by him of an intention to endow the Catholic clergy, would at the present moment have a tranquillizing effect, or whether it would not rather increase than diminish the irritation which prevailed. Others were free to express such sentiments. Concessions of the kind might be made by others more easily than by him; and looking at all the circumstances of the case, he did not see how it would conduce to the Repeal to be resisted by force.

* Hansard, Debate on Mr W. S. O'Brien's motion on the State of Ireland, 4th July, 1843.

1843. public interest that he should undertake them. The bill was not read a third time till the 9th of August, and on the 24th Parliament was prorogued. The Session had been barren and unprofitable. Excepting the Canada Flour importation bill, no further relaxation of commercial restriction had been attempted, though in its discussion, admissions were made by Ministers, tending still further to shake the confidence of their agricultural supporters in the tenacity of their purpose regarding Protection. The Premier could not be twitted or taunted into saying more in reply to Messrs Villiers and Cobden, than that he thought his amended sliding scale had not yet had a sufficient trial; and that he did not contemplate the necessity of proposing any new change in the tariff. Mr Gladstone, on whom, as Vice-President of the Board of Trade, the burthen of defending the commercial policy of the Government especially fell, treated the Act of 1842 as a "temporary measure;" and when interrogated as to his meaning, he adverted to the fact, that since 1765, no fewer than twenty-five different corn-laws had been passed, successively adapted to the change of times and circumstances. How then should any one expect, that the latest enactment on the subject would prove to be more permanent? In the debate on Lord Howick's motion for a committee to inquire into the distress of the country, Sir James said that "they were accustomed in that House, to bandy about all sorts of

criminations and recriminations respecting free trade principles, as to who were the authors of them, and as to those by whom they had been adopted. After all however it was ridiculous to make such subjects matter of dispute. By most men these principles were now acknowledged to be the principles of common sense. The time had long gone by when this country could exist solely as an agricultural country. We were now a commercial people. As long as Great Britain remained as she now was, the mistress of the seas, she must be the emporium of the commerce of the world: and he felt perfectly satisfied that agricultural prosperity in this country, if deprived of the support of manufacturing prosperity, could not and would not long exist. He would even go further than this. He would say that with the increasing population of this country, increasing as it did at the rate of somewhere about 220,000 per annum, it was indispensably necessary that there should be a progressive extension of commerce: and none were more deeply interested in securing such extension, than those who were connected with land. There was an increasing population; that increasing population must be employed; it could only be employed by payment of wages; wages could only be paid out of profits, and profits were dependant on demand. He held these to be the principles of every man of common sense."* The effect of such declarations began to be

1843.

Principles of Common Sense.

* Hansard, 15th Feb., 1843.

1843. perceptible in the altered tone of many, who had recently been enthusiastic supporters; while the failure of the Education Scheme, and the difficulty in carrying the Arms Bill, contributed to lessen the popularity and the influence of the Administration.

The crisis in Ireland.

Peers and members had for the most part left town before the prorogation; and Ministers were glad to follow their example, and to seek relaxation and repose. But little respite from his anxious labours was permitted to the Home Secretary. He noted the favourable accounts of the harvest with more than ordinary satisfaction, and rejoiced at the symptoms of returning employment in the manufacturing districts. If only he were sure of the people having work and food, he did not care what was said of him at the meetings of the League. The power of that great Association was greater indeed than ever; and Mr Pattison's return for the city, in opposition to Mr Thomas Baring, soon afterwards raised higher than before the *prestige* of its name. But in Ireland the course of events gave cause for deep solicitude. Multitudinous assemblages continued, each being more numerous and imposing than the last. Addresses of sympathy and contributions of money came from the United States and the Colonies. Foreigners from various countries visited Ireland during the summer and autumn, and published their impressions of what they saw. Every week brought new con-

verts from the middle classes, to Conciliation Hall, whence the whole mechanism of agitation was directed; and every day the tone of popular defiance grew more loud. Arbitration courts were established for the settlement of ordinary disputes; and they were quickly resorted to by the people, in preference to those of petty sessions, where persons professing repeal opinions were no longer suffered by the executive to act as magistrates. The power and influence of Government was rapidly passing out of the hands of the constituted authorities. Yet it was matter of grave difficulty and doubt, whether the existing law had been violated to any extent, or in a degree sufficient to warrant peremptory interference with the agitation. Towards the end of September, however, announcements appeared of a monster meeting to be held at Clontarf, in the northern vicinity of Dublin, on the ensuing 8th October; and an assembly of 300 delegates from the various counties and towns of the kingdom, was to be convened by popular summons, to meet in the capital in November, to consider the grievances of the nation, and to devise means for their redress. 1843.

Meeting at Clontarf prohibited.

The requisition for the meeting at Clontarf reached the Home Secretary on the 27th September. Two days later a proclamation was circulated in Dublin, summoning persons who wished to be included in "the Repeal Cavalry" at the forthcoming

1843. demonstration, to muster at a given place on horseback at a given hour, and to form themselves in troops of twenty-five, each troop under its own officer. Lord Eliot forwarded this document to the Home Office, where it was received on the 1st October. The Lord-Lieutenant and the Lord Chancellor of Ireland were then in London, and they were forthwith summoned to confer with the Law Officers of the Crown, by Sir J. Graham. They met next day, and instructions were in consequence sent by him to Ireland, to prepare a proclamation prohibiting the meeting at Clontarf. Lord de Grey and Sir E. Sugden repaired to Dublin, and on their arrival a privy council was held, at which the proclamation which had previously been prepared by the Attorney-General, Mr T. B. C. Smith, was adopted. A considerable body of troops occupied the ground where the intended meeting was to take place; and though some were rash enough to urge during the day which intervened, that the multitude should be suffered to assemble, Mr O'Connell wisely preferred to take to himself the credit of preventing them, and issued a proclamation of his own to that effect.

Proceedings against O'Connell.

In the course of the following week, Mr O'Connell, his son, and several of his friends, were arrested, and held to bail, on a charge of having committed a misdemeanor. In determining the nature of the proceedings which should be taken on the part

of the Crown, it was necessary to have regard to the peculiar, and in fact unprecedented, circumstances of the case. "The difficulty which existed was this—meetings to be illegal must be either to carry out an unlawful object, or to carry out a lawful object by unlawful means; or they must be calculated to lead to a breach of the peace. The repeal of the Union was not an unlawful object. The monster meetings previous to that intended to be held at Clontarf were not expected to lead to a breach of the peace. It was O'Connell's determination that there should not be any breach of the peace, if he could prevent it. He intended to carry out his object by intimidation, and the demonstration of physical force; and the sixth and seventh counts of the indictment were introduced, to meet that view of the case. It was in consequence of the difficulty in point of law, of establishing that any particular monster meeting was illegal, no breach of the peace having been anticipated, that a conspiracy was charged, which it was considered was sufficiently proved, by the proceedings at all these meetings, and by those of the Repeal Association. The Repeal Association was not an illegal body, being formed to carry out a legal object by legal means; and no person could have been prosecuted, merely for being a member of such a Society. But there were particular meetings of the Repeal 1843.

1843. Association which were illegal; for the proceedings at which the particular members present were responsible. For example, the meeting which adopted the address prepared by Mr O'Connell, to the inhabitants of the countries subject to the British Crown, which was a seditious address, was illegal." *

Rumours of indictment for treason.

Vague rumours prevailed as to the nature of the charge about to be preferred; and for some days Mr O'Connell was under the impression, that he was about to be indicted for treason. "If they take that course," he said, "they are bent on my destruction; and once imprisoned, I shall never come out alive." There were some about him who strove to confirm him in this supposition. If well founded, there was nothing for it, they said, but to quit Dublin suddenly, and summon the people around him in the southern counties, where without wholesale massacre he could not be taken. He wavered long before acceding to these suggestions; but at length apparently yielded; and steps had actually been taken to prepare relays of horses for his flight, when a gentleman connected with the Crown Solicitor's office, unexpectedly waited on him to communicate, as an act of courtesy, the real nature of the proceedings in contemplation. His satisfaction was

* The legal view above given is that of one of the most eminent of the learned advisers of the Crown, in 1843, as stated in reply to inquiries by the author.

unbounded at the intimation thus conveyed to him. 1843.
"A heavy load," he said, "was taken from his heart; and as for a misdemeanor, if that was all they meant to try him for, it mattered little: he would baffle them in point of law, and even should justice not be done, they could only give him a year's rest from his labours." But in truth the idea was never entertained of a prosecution for treason. Had it been so, the law advisers of the Crown in Ireland must have been consulted; and as they certainly were never asked to consider the question of any indictment for a capital offence, the notion may be dismissed as one of those illusions, with which the political history of all times abounds. "The only question that ever was considered," says one who could not be mistaken on the subject, "was, whether O'Connell was guilty of a misdemeanor. I am confident the Government were never advised by the English law officers, and I know they were not advised by those in Ireland, to proceed against him for treason."

Repealers tried for misdemeanor.

The proceedings against Mr O'Connell and his associates were unusually protracted, partly owing to the voluminous nature of the pleadings, and partly to the many preliminary and incidental questions, raised by the counsel for the defence. The trial itself lasted several days; and after a verdict of guilty had been pronounced, judgment was deferred till the following term.

1844. 13th Feb. State of Ireland.

The policy of Ministers towards Ireland was impugned, when Parliament met, by Lord John Russell, as being both unconstitutional and unsuccessful. Mr O'Connell would be an object of popular affection more than ever, while he lay in prison under a sentence obtained by the invocation of doubtful principles of law, and upon the finding of a sectarian jury. But the grievances and grudges, out of which the agitation for Repeal had sprung, would not thereby be extinguished. If it was a crime to incite distrust and aversion among the Irish people towards England, it could be no less an offence to hold up the people of Ireland to their brethren of Great Britain as aliens and enemies: yet Mr O'Connell was prosecuted, while Lord Lyndhurst was intrusted with the Great Seal. The fact of alienation however must remain, while all patronage of Government was exclusively confined to members of one persuasion; while the administration of justice was subject to the imputation of religious partiality; while the elective franchise was possessed by so small a number of the community; and while the Church of the minority enjoyed the entire of the ecclesiastical revenues, originally intended for the benefit of the people at large. They could not remove the existing grievances, unless on the one hand they adopted the voluntary principle, or on the other, they created an Establishment not for one, but for all religions

which existed there. The voluntary principle he thought was liable to insuperable objections. He did not think, in the first place, that it would promote the great object of establishing peace and harmony, between classes and denominations of people. Although the successors of the present Protestant clergy might lose their legal stipends, he did not think they would lose their zeal for the Protestant religion, any more than was the case with the Catholic clergy. He believed, on the contrary, that the clergy of the two religions would contend more fiercely than ever; and that was one main reason why he objected to the voluntary principle. He saw no little danger moreover in the proposition lately made by the hon. member for Montrose. If the voluntary principle were adopted in regard to Ireland, he did not see how they could long refuse an inquiry into the number of Dissenters in the United Kingdom, and into the utility of the Church Establishment altogether. The system therefore which he should be disposed to adopt, would be one which would put the Established Church, as regarded the Roman Catholics and Protestants and the Presbyterians, on a footing of perfect equality. He did not despair, that with the consent of the people, they might be enabled to induce their clergy to form part of a general Church Establishment. For the present however the utmost that could be done, would 1844.

1844. be a preliminary step to this desirable end. He thought, for instance, that an improvement should be made in the College of Maynooth. He thought that at least double the sum which at present was allotted to that establishment, should be bestowed on it. At all events, he thought that they ought to take away everything derogatory to the position and character of the Roman Catholic bishops. They had provided by statute, that they should not be allowed to style themselves by the name of the diocese over which they presided. He thought that a most foolish prohibition. They declared that Doctor Murray should not style himself the Catholic Archbishop of Dublin; but he was so nevertheless, and a man of very high attainments and character, in the eyes of the people of Ireland. There remained for consideration, the arrangements necessary for increasing the utility of the clergy of the Established Church; and upon this point he concurred in the plan propounded, as it was said, by Dr Whateley, the Archbishop of Dublin, for making it a church of congregations, and not of parishes, as it was under the present system. Mr Wyse urged the increased endowment of Maynooth, and a reform of the University system. The only existing University was maintained for the affluent minority of the people, while Catholics and Dissenters, who formed the great majority, were denied a fair participation in its benefits. They were indeed permitted to take degrees, but were denied

all share in its dignities and emoluments. They ought either to give Ireland a Catholic University of equal rank and importance with the existing Protestant one; or render this latter really Irish and national, by admitting Catholics as well as Protestants to its other advantages as well as to its studies and honours.* 1844.

Sir J. Graham, in reply to the speeches of the mover and seconder of the amendment, said he had to regret meeting the noble Lord as a political antagonist, on such a momentous question as was then before the House. He thought it hard that a man who had risen to pre-eminence after a long life, by no means dishonourable, should in his absence be taxed, even in party strife, and by the leader of a party, in a way so severe and so unprecedented. He was confident Lord Lyndhurst would not have spoken of any political opponent in such terms. It ought to be remembered that Lord Lyndhurst, in the presence of the House of Lords, who heard the expressions, who knew precisely what fell from him, five or six days afterwards positively denied the use of them, in the sense in which they had been represented. Lord Lyndhurst himself reminded the then Prime Minister and the President of the Council that they were both present when the expressions were used, and that they neither commented on nor objected to them, as it was undoubt- Defence of Ministers.

* Hansard, Debate on State of Ireland, 13th Feb., 1844.

1844. edly, their duty to have done, if they had understood them to bear the meaning supposed. Passing from this subject, he proceeded to show by reference to dates, that the renewal of the agitation for repeal had commenced long before the change of Ministry; and that open-air meetings of 60,000, 100,000, and in one case even of 200,000 persons, had taken place while Lord Fortescue was Viceroy, and Lord Melbourne Premier. At the assemblages in question, language had been held going quite as far as any which had been used at more recent gatherings. But if that language was not prosecuted, and those meetings were not suppressed, where was the justice of reproaching him with having suffered the same things to be said or done, since he came into power? The persons set aside by the Crown on Mr O'Connell's trial, were objected to, not as Roman Catholics, but as Repealers; and he greatly deplored if their having been so struck off the list, had given offence to the members of the communion to which they belonged. The object of the prosecution was not to strain the law, or to restrict the right of meeting, by getting a conviction on account of a particular meeting or a particular speech; but to get the whole case before the public, and to show that a wide-spread conspiracy existed to overawe the Government, and to convict those who were its leaders. It was idle to say that there was no conspiracy, because there was no secrecy. It had

been well said by Madame de Stael, that in our times 1844.
'*on ne conspire que sur le place.*' The Government were accused of occupying Ireland by military force. Certainly, because an intent had been betrayed of severing Ireland from the empire. Yet the whole force now in Ireland did not amount to 22,000 men—a smaller force than had been maintained there by former Administrations. The prospects of the country would indeed be sad, if for the future there were to be no means of retaining Ireland but by military occupation. But he had heard little that was new suggested in the way of conciliation. The question of land tenure had been made the subject of inquiry by a commission. An additional grant for education was about to be proposed; the Government were prepared to lay upon the table a measure for extending the county franchise. The noble Lord had spoken of religious equality; but how was it to be obtained, and when? Not by the voluntary system, he said, nor by taxing the inhabitants of the United Kingdom, nor by redistributing the revenues of the Irish Church between rival creeds, during the life-time of the existing incumbents. How then was present peace to be attained by promising an equality, which they were told could not be realized till a remote period? The debate lasted nine nights, and at its close 225 voted for a committee of the whole House to inquire into the state of Ireland, and 334 against it.

1844. Personal unpopularity.

While no man more diligently or conscientiously devoted himself to his public duties, or displayed more aptitude and ability in their performance, it cannot be denied that his personal unpopularity at this period was extreme. Why was it so, and what was the cause? The question was continually asked, and every one had a different explanation to give. "How do you account for it,—" said a mutual friend standing one day below the bar, to a noble lord whom Sir James had lately complimented highly in debate, and towards whom he had certainly never shown anything like disrespect. "How? Why just look at him, as he sits there, with his head thrown back, and his eyes fixed on the windows over the gallery, as if there was nothing going on in the House worth his listening to." Another distinguished supporter, when asked why so many people hated him, replied, "He has cocked his hat on the wrong side of his head; and depend upon it, that's a mistake not easily got over." There was something more than this however to account for it. His manner, always uncertain, was frequently complained of by those who had occasion to see him on business at the Home Office. An old and attached friend, speaking of this period, says, "Though I never found him anything but courteous, considerate, and kind, others were certainly not so lucky. Whether it was impatience at having his time wasted, when there were a hundred calls upon it daily, he could

not satisfy, or whether it arose from unconscious faults of manner, it is certain that he had become the most unpopular man in the Government. You could not go into the Carlton without finding some self-important country gentleman half inarticulate with rage, at the way in which he had been treated by that intolerable coxcomb, whom Peel had been fool enough to put at the Home Office, and whom he was resolved never, so long as he lived, to speak to again." To others who met with a different reception, all this was, and still is, inexplicable; and to those who lived within the inner circle of his sympathy and love, it is, as it ought to be, incredible. Nor is there any process of metaphysical analysis, perhaps, by which the inconsistencies of such a temper can be thoroughly explained. But the strangely conflicting facts, none of which we are at liberty to disregard, seem to group themselves somewhat in this fashion. Close around him lay the intimacies and affections, which constituted the solace and the charm of life. They were not very many; but in proportion to their fewness they were prized. Beyond them lay the world of mere acquaintanceship, which seemed to have no attraction for him and little value in his eyes; and the man who was idolized by his family, and beloved by his friends, from the moment he crossed his own threshold appeared to assume a repellant air and mien, as though he were haunted by the fear of being intruded 1844.

1844. on. There was still an outer and a wider circle to whom he wore a different and a more congenial aspect. When addressing a popular assembly, no man was more persuasive, or in general more conciliatory in his tone. He spoke as one who cordially desired to understand the condition of the many, and who unaffectedly entered into their feelings. Even when he had to expostulate with prejudices he thought unsound, and to argue against predilections hostile to his immediate aim, his whole bearing and tone and the very structure of his sentences seemed as though they had followed the prefix—"Come, let us reason together." And the consequence was, in the morning of his public career, and, as we shall see again, in the decline of his days, that he received on such occasions from the multitude, that which in Eastern phrase is called worship.

Recollections of the Bishop of St Asaph.

No discrimination indeed of the kind suggested, will include all cases. Some who stood among the crowd, and witnessed the greatest success of his power of fascination, could see in it nothing but unreality and make-believe; and, upon the other hand, there are many still living who never knew him, save in the transaction of public business or in the ordinary intercourse of society, who cherish recollections very different from those above described.—"It never happened," writes the Bishop of St Asaph, "that we had much intercourse after

our leaving Oxford. But while I held the see of Sodor and Man, I was brought into official contact with him on one or two occasions, when he was Home Secretary, and I found him very kind and accessible. I once named a clergyman to him, whom I wished to be appointed to a living at his disposal: and to a favourable answer he added, 'We must both understand that you are naming the man whom you esteem most fit for the place.' Again, upon the death of General Ready, Governor of the Isle of Man, there was some difficulty as to the widow's pension—(as widow of a general officer); on this occasion Sir James showed the greatest kindness in trying to procure it; but the case did not fall within the army regulations. While I was with him on this subject, he asked me what sort of man would make the best successor—apparently anxious to do the best he could for the island, and I represented to him the importance of making a good selection, as in a little society of that description, the personal tone of the governor was very influential. The anxiety he evinced was that of a man who wished to do right; and on this occasion he was very fortunate and judicious in his selection."* But in the House of Commons, as already stated, he had offended the self-love of many; and as Secretary of State he had unavoidably been brought into collision with numerous interests 1844.

* Letter from the Bishop of St Asaph to the author, 16th July, 1862.

1844 and sections, each of which bore him no good will, for the manner in which he had resisted their special objects.

Hours of Factory Labour.

Among the working classes, especially in Lancashire and Yorkshire, the demand had for some time been urged with vehemence, that further limitation should be put upon the hours of labour. The reports of the Inspectors of Factories, published from time to time, had been read with avidity by all who took an interest in questions of social improvement. The local agitation was tacitly encouraged by general sympathy; and Lord Ashley, supported in the House of Commons by Mr Fielden, Mr Hindley, and other manufacturers, pressed upon Government the duty of dealing with the subject. A Bill was prepared, and introduced early in the Session by the Home Secretary, which proposed to reduce the working time for children employed in factories, to eight hours; and for persons so employed above the age of thirteen years, to twelve hours a day. Lord Ashley succeeded in carrying in committee an amendment on the first clause, whereby the day was defined to be the twelve hours from six in the morning to six in the evening, and the night to be the remaining interval: and the effect of this alteration was virtually to prohibit more than ten hours' labour. He further succeeded in reducing the working time prescribed for children from eight to six hours. At a subsequent stage, when the blank in the clause re-

gulating the labour of adults, was proposed to be filled up with the word *twelve*, Ministers were again defeated. But when the counter-proposition was made, to fill up the blank with the word *ten*, the House rejected that likewise, and the Bill was consequently withdrawn. Throughout the protracted discussions on the subject, which occupied the chief portion of March, the brunt fell principally on Sir James, who resisted the changes sought by Lord Ashley, on the ground that in the then existing state of manufacturing industry, the consequences were likely to be injurious to the operatives themselves. His own feelings would have led him, as he frequently declared, to adopt a different course; but he yielded to the assertions made by the great majority of employers, that they could not afford to reduce the hours of labour without reducing the wages; and considering the intensity of the competition with foreign countries, the weight of taxation, and the price of food, he was driven reluctantly to form a conviction that a Ten Hours' Act would either cause a great expatriation of inventive capital and skill, or a great displacement of human labour, by an increased resort to mechanical substitutes. 1844.

One of the thorniest subjects of practical legislation which Government had to grasp, was the doubtful condition of property vested in Unitarian trustees, for religious and charitable uses. By the statute of Uniformity passed soon after the Re- 6th June. Dissenters' Chapels Bill.

1844 storation, no gift was legal for religious or charitable uses, if made to any congregation other than one belonging to the Church of England. The Toleration Act of William III. exempted Trinitarian Nonconformists, being Protestants, from the disability, but left the Catholics and Unitarians as they were before. During the next century, bequests in their favour could not legally be made *eo nomine*, to their use. But in 1813 the latter were relieved, prospectively, and thenceforth property might legally be devoted by gift or bequest, to the support of Unitarian chapels or schools. The same benefit was conferred upon the Catholics by emancipation, both retrospectively and prospectively. The only exception still outstanding, therefore, to the comprehensive justice of toleration, was that which left endowments under deeds of gift, which did not specify sectarian tests of application, to be interpreted by courts of equity as they might deem fit, on the doubtful balance of proof as to the opinions of the donor: although the effect of such decision might be to divest a congregation of the place of worship, the cemetery, and the schoolhouse they had uninterruptedly held for fifty years. Angry and costly litigation had been carried on in the courts of law and of equity, on this subject, for a considerable time. The highest judges differed respecting the construction of the law of religious trusts; and it was to quench doubts, and

quiet possession as to this species of property, without regard to opinions, that Parliament was called on to interpose by way of legislation. Lords Lyndhurst, Cottenham, Brougham, Denman, and Campbell had united in recommending Government to bring in a bill on the subject.* This they resolved to do; and the First Minister informed the House, that a measure had been prepared to secure to all congregations, the undisturbed possession of their places of worship, and of the charities held by them without interruption for five-and-twenty years, whatever might be the tenets their Ministers taught. The Solicitor-General would explain, he said, on the second reading, the provisions of the bill. Sir William Follett, who had but recently resumed his attendance in Parliament after prolonged illness, listened to the announcement with surprise; and on being asked in private in the course of the same evening, some question with regard to the proposed measure, he replied, "You know as much of it as I do, for until to-night I never heard of the bill." The care of its preparation had in fact principally lain with the Home Secretary. By his language to deputations that had waited upon him officially, and by the earnest expression of his sentiments on the subject in debate,† he identified himself fully 1844.

* Hansard, vol. lxxv. p. 319.

† Speech on division of Scotch parishes, 7th June, 1844.

1844. with the measure, which he believed to be right, though with a certain section of the supporters of Government, he knew it to be far from popular. But he left the credit it won within the walls of Parliament, from an Opposition hard to propitiate, and difficult to please, to Mr Gladstone, Sir W. Follett, and Sir Robert Peel, who were one and all complimented highly in the House, by their political rivals, for their mode of dealing with the question. After Sir W. Follett's luminous exposition of the existing statute law on the subject, of the conflict of decisions arising out of recent litigation, and of the specific enactment Ministers proposed, Mr Macaulay said "he thought it right to declare at once his approbation of so honest and excellent a bill, and his firm conviction that none but the best and purest motives, could have led to its being brought forward. Sir R. Inglis, Mr Plumptre, and many others, warmly opposed it on the part of the Church; and they spoke the sentiments of a numerous body of Presbyterians and Evangelical Dissenters. Large majorities however appeared to be in its favour; and before the close of the Session it had become law.

Irish Church.

Mr Ward renewed, upon the 11th June, his once popular attack upon the exclusive endowment of the Irish Church. He reiterated the old arguments, which had been ten years before the most stirring topics of debate, and endea-

voured to awake the echoes that so long had slumbered. But the attempt proved vain. Popular attention in Ireland was absorbed by the imprisonment of Mr O'Connell and his associates in Repeal agitation under the sentence of the Court of Queen's Bench, against whose legality a writ of error was depending before the House of Lords. Popular sympathy was centred in their fate, and refused to lend its ear to other themes. The Whigs, after six years' suspense, during which the subject had not been stirred in Parliament, were willing to see the Irish Church question revived. Mr Macaulay and Lord J. Russell spoke, and one hundred and seventy members of their party voted for the resolution. But there was no symptom of reality about it, as an antidote to the cry for Repeal. A large number of the Liberal party were absent on the division, and when the Home Secretary rose to speak in the debate, his first and best observation was that he had to address empty benches. His tone was moderate and forbearing towards his old antagonists, but more explicit if possible than ever as to the constitutional necessity of maintaining an Anglican endowment in Ireland. He was willing to go much further than before to conciliate the Catholics; but he would advance by another road. 1844.

"Notwithstanding the opposition encountered—an opposition he much deplored—Government had

1844. had no hesitation from their own sense of justice, and for no other reason, in conferring upon a small and comparatively powerless Unitarian body a boon which they believed to be their due. Was it conceivable then, was it reasonable to suppose, that in reference to 6,000,000 of Roman Catholics, Government would fail to do anything, which in their honest judgment, they believed policy and justice demanded? The right hon. gentleman had taunted them with introducing a measure last year in favour of the Church of England, which practically was of no effect. In 1825 the question of the endowment of the Roman Catholic clergy was a good deal considered, and Mr O'Connell then proposed that a measure should be passed for the purpose, which, as he said, would have the effect of binding the clergy of Ireland to the State by a golden link. Undoubtedly, if he (Sir James) had been then present in Parliament, he should have supported that measure. But he now called upon the House to consider that they were not debating whether some provision should be made for the Roman Catholic clergy, but whether they were prepared to deal with the Established Church of Ireland, in the spirit of the views which the hon. member for Sheffield had on a former occasion explained to the House. The question was whether the House should go into committee, for the purpose of depriving the Church of Ireland of the greater part, or even of the whole of

Payment of Catholic Clergy.

its revenues. That was the real question to be decided. Now he would not cavil about the precise terms of the 5th article of Union; he was not prepared to dispute the historical fact stated by the hon. member for Sheffield, that Mr Pitt had changed considerably the words of the 5th article, and modified it from that form which had been adopted in the first instance by the Irish Parliament: he would not dispute that Lord Cornwallis held out the hope to the Roman Catholics, not only of equality of civil rights, but of endowment from the State for their Church; and he believed also that the alteration of the original article, had reference to the intentions of Mr Pitt to establish that equality, and to provide that endowment. He admitted this, because it was matter of history, and if he were asked, whether he thought that the article was so framed, as to admit of making a provision for the Roman Catholic clergy of Ireland, he should answer, that he considered the article was studiously so framed as to sanction such an interpretation. He thought it was intended that there should be endowments for the Roman Catholic clergy, but that no part of the property of the Protestant Church should be taken for that purpose. But he did not gather from the speech of Mr Ward, that he had modified his former opinions on the subject; or that he and those who thought with him, were prepared to accept the responsibility of recommending the creation of a new endowment by 1814.

1844. the State, for Catholic purposes, and to encounter the resistance, which they well knew such a recommendation would evoke throughout Great Britain."

Failure of Mr Ward's Motion.

Nothing indeed was further from the thoughts of Opposition. They remembered how they had thrust the Tories out of office ten years before, by means of this question; and they could not be persuaded that the conjuration might not be wrought again. But on neither side of the Channel was the spell found to work. The old Appropriation flag hung heavily in the stirless air; and no rhetorical arts could make it flutter before the eyes of men.

CHAPTER VI.

POST OFFICE INQUIRY.

1844—1845.

1844. Opening of Letters in the Post Office.

THE Session was already far advanced, and the greater portion of its important business was done, when an unforeseen topic of discussion arose, more stimulating to party heat, and in its consequences more damaging to the Government, than any with which they had had to deal. On the 14th June, Mr T. Duncombe presented a petition, "complaining of a personal grievance, from W. J. Linton, Joseph Mazzini, and two other persons residing at No. 4, Devonshire Street, Queen Square. The petitioners stated, that during the last month they had sent letters through the Post Office, for no political purpose, and containing no libellous matter or treasonable comments upon the Government of the country; that these letters had been detained beyond the time of their delivery, that their seals had been

1844 broken, and that they had been opened and read by certain of the authorities belonging to her Majesty's Post Office: that they considered such a practice, introducing as it did the spy system of foreign states, repugnant to every principle of the British constitution, and subversive of the public confidence, which was so essential to a commercial country. They were prepared to prove the truth of these allegations, and they prayed the House to grant without delay a committee to inquire into the matter, in order that redress might be afforded them, and that such a practice might be prevented for the future. The course which he should pursue, would depend on the answer which he received from the Home Secretary. He begged to ask him whether he was aware that the letters of the petitioners had been read and examined at the General Post Office; and if so, was he aware whether that had been done by the authority of any one of the principal Secretaries of State?"

Refusal to give details in public.

Sir J. Graham "thanked the hon. gentleman for having notified to him the question which he intended to put, he had therefore an opportunity of taking into consideration the answer which he should give. The House must be aware that from as early a period as the reign of Queen Anne, power by statute was conferred on the principal Secretary of State, to detain and open letters passing through the Post Office. This power had come under the review of

Parliament, at so late a period as the year 1837; and by the Act of 1 Victoria, this power of issuing warrants to open and detain letters continued to be still vested in the Secretaries of State. He must, for fear of creating misapprehension by his answer, state that the circumstances mentioned in the petition were, to a great extent, untrue. As to three of the petitioners, he doubted if their letters had ever been detained, and no warrant as to them had been issued; but as to one of the petitioners, he had to state that on his responsibility, a warrant had been issued by him as to the correspondence of that person, which warrant was no longer in force. He had the power by law, and he had exercised it. This authority was vested in the responsible Ministers of the Crown, and intrusted to them for the public safety; and while Parliament placed its confidence in the individual exercising such a power, it was not for the public good to pry or inquire into the particular causes, which called for the exercise thereof. He could not consent therefore to enter into any further explanations; and he would only express his hope that the House would confide in the motives which had influenced him; and that they would not call upon him to answer any further inquiries. It was not consistent with his duty to give any more explicit answer." Mr Hume asked how long the warrant had been in force? "He had given an explanation; and he must respectfully but firmly 1844.

1844. decline saying anything further on the matter." There being no question before the House, comment on the tenour of this reply was impossible; and for the day the subject dropped. But the ball of curiosity and scandal thus set rolling, was not soon to rest. In the complete ignorance prevailing, both as to the actual state of the law, and still more as to the long-established practice respecting the Post Office, the question put by Mr Duncombe, gave rise to popular conjectures and suspicions without end. It was like a match struck for a moment amid profound darkness, revealing to the startled crowd vague forms of terror, of which they had never previously had a glimpse, and about which they forthwith began to talk at random, until a gigantic system of espionage had been conjured up, which no mere general assurances of its unreality could dispel.

17th June. Discussion in the Lords.

On a subsequent day, Lord Radnor moved in the House of Lords for a return of the warrants which had been issued for the detention of letters during a specified period; and animadverted upon the alleged practice of general warrants to intercept all letters addressed to a particular person, instead of there being a separate warrant to intercept each letter. The Duke of Wellington defended the course taken by Sir J. Graham, upon the ground that he had in no way exceeded the legal authority vested in him, but had strictly followed the uninterrupted course of precedents which existed from the

reign of Queen Anne to the present time. Lord Campbell thought the Post Office Act of 1837 must be interpreted strictly; and it certainly gave no power for the issue of general warrants. He had no hesitation in saying, that to detain and open letters, under a general warrant would be unlawful. The warrant must be an express one against a definite letter, or it would contravene the Act of Parliament. Lord Brougham observed that the first statute conferring this power, had been framed and carried by Lord Somers. It had been continued ever since by various Acts, and was exercised by Sir Robert Walpole, Lord Grenville, and Mr Fox, as well as under the Administrations of Lord Grey and Lord Melbourne. If the construction were correct, which Lord Campbell had put upon the limitation of the power, the sooner they had a new Act the better. Lord Denman said the sooner they put an end to such a power the better. It was impossible to exercise it efficiently, if limited by specific warrants. No Secretary of State could describe beforehand which of many letters addressed to the same person, he would have intercepted at the Post Office; but this only served to increase his horror at the practice being permitted at all. Without casting any blame, or seeking to throw any suspicion, over the manner in which the power in question had been exercised in the present instance, he certainly thought that the real and entire state of the case ought to be made 1844.

1844. known. Lord Normanby defended the retention of the power, which he admitted having himself exercised when in office. In the present instance, he did not believe that it had been abused. Lord Clanricarde said if it was true, as currently rumoured, that the letters of M. Mazzini had been opened at the instance of the Sardinian Minister, then he would say it was high time to draw a line of distinction, that would in future prevent the power of the British Government being used for the purposes of any Foreign State.

Mr Duncombe's motion for a select committee.

On the 24th June Mr T. Duncombe again called the attention of the House of Commons to the subject.

He presented a petition from Mr Charles Stolzman, a Polish refugee, who complained that his letters had been detained and opened at the Post Office. The petitioner declared that during his residence in England, he had never interfered in the politics of this country, or been engaged in any treasonable correspondence with any person whatsoever. It would be for the House to inquire whether the power vested by statute in the Secretary of State, had or had not been abused. Was a separate warrant issued for the detention and opening of each suspected letter; or was a general warrant issued to stop and examine all letters, addressed to the suspected individual? It was said that the power in question had been conferred on the Secretary of State, to be exercised upon his responsibility. Responsibility to whom? Why, to the House of Commons. He therefore called on the House, to exercise its right of inquiring how the power had been

used. He was prepared to maintain that it was only intended to meet the case of domestic treason; and that when the Act of 1837 was passed, it never was meant to confer an authority upon a Minister of the Crown, to search out the secrets of exiles resident here, at the instance of a foreign Government, or to gratify the vague suspicions of our own. He charged Ministers with transgressing the law; and they must not now shrink from investigation. Captain Stolzman was a friend of M. Mazzini; so that the opening of the letters of these two gentlemen was part and parcel of the same system. The Administration had nothing to do with the squabbles of foreign powers with their discontented subjects; and when the latter took refuge here, their correspondence ought to be safe so long as they did not meddle with our internal affairs. He had received a letter from M. Mazzini, in which he said,— "The warrant had been in operation against him since the beginning of March; sixty or seventy letters addressed to him had been opened, coming from perhaps twenty-five or thirty different persons; every care taken to avert suspicion—impressions of the seals taken—the cut sometimes so delicate that it almost required a magnifying glass to follow its traces; a double stamp invariably applied, to alter or make illegible the mark of the hour at which the letter reached the General Post Office, and to conceal the delay. The first month or the first week of the system must have proved to the Home Office, that neither England nor English safety was concerned in the correspondence. No Secretary of State could bring forward the slightest indication of his ever having been connected with English political affairs." Believing this letter to be true, Mr Duncombe must repeat his question—on what plea were M. Mazzini's and Captain Stolzman's letters opened? 1844.

1844. When the Duke de Bordeaux was lately in London, Louis Philippe no doubt would have liked very much to know what was in his letters. Did they open them? and if not, why should they intercept those of a man who, though in humbler station, had always conducted himself with a strict regard for the laws of the country? Both fraud and forgery had been committed; for what had they done? They took men's letters, read and examined them, kept copies of them, then re-sealed and re-forwarded the originals in such a manner, that the unfortunate individual was not aware that Government was in possession of his secrets. The odium would have been less, if persons had been apprized of what had been done,—if the letters had been stamped on the outside 'opened by authority.' In 1735, a committee was appointed to inquire into the abuses of the Post Office Department. Several members of the House then complained that their letters had been opened, on the suspicion of their carrying on treasonable correspondence; but it appeared that the practice of opening letters in the Post Office was at that time so well-known, that nobody thought of confiding seditious secrets to letters conveyed in that way. Sir Robert Walpole agreed to the committee, upon condition that it should not inquire into any matter touching the secrets of the Government. He (Mr Duncombe) did not want to know Government secrets; he doubted if they were worth knowing; but he wanted inquiry into the practice in the department, which he contended would appear to be unconstitutional and in violation of law. He concluded by moving for a select committee, to investigate the various matters complained of in the petition.

Sir J. Graham said, If I have violated the law, or ex-

ceeded my duty, let the hon. gentleman take the legal course, and let him prove to a legal tribunal, that I have transgressed the law, or exceeded the power vested in me. If any individual has been guilty of a misdemeanor, let that individual be prosecuted. The tribunals of the country will do justice between the parties; and the individuals so convicted will be liable to punishment. (Mr T. Duncombe,—A penalty of £20.) I beg the hon. member's pardon. A party so convicted is guilty of a misdemeanor—as great a misdemeanor as the law recognizes; and he is liable to fine and imprisonment. The Secretary of State, if he transgresses the law, will also be amenable to the ordinary tribunals. But I absolutely demur to entering into any explanation on the subject. I demur even to a Select Committee, as a tribunal before which to prosecute such an inquiry. I say the hon. gentleman may institute legal proceedings against the individual, who detained the letters without the authority of the Secretary of State; and if the Secretary of State had violated or exceeded the law, he also is responsible to the injured laws of his country. The hon. gentleman intimated, I think, that party jealousy had nothing to do with this question. I am quite confident that such is the case; and I appeal to both sides of the House, whether this subject has not hitherto been so regarded? The question is—has the law been violated or not? I can state this, and I state it unhesitatingly, that no power has been exercised by me but that which has existed since the Revolution; that it has been in constant use since that time, and indeed from a long antecedent date. Whenever I have exercised it, I have exercised it in the accustomed form. I have in no

1844.

1844. degree departed from the usage sanctioned by the highest constitutional authorities, who have been my predecessors in office. In the most solemn manner I give my denial to any exercise of authority on my part, contrary to the Act of Parliament. I acted on the best advice. I say that to the best of my judgment, under difficult circumstances, I have acted in conformity with the law, as I understand it. My conscience is pure in this matter; and in the discharge of my public duty I consider it a solemn and imperative obligation, to demur to a public inquiry of this kind on the part of the House. It will therefore be my duty to resist the motion of the hon. member.

First debate in the Commons.

Mr Macaulay warmly supported the motion for inquiry on constitutional grounds, and stated that the power exercised was one which the House had, in cases of necessity, entrusted to the Government; but then it was a power whose exercise the House was bound to watch carefully: and with respect to which they ought to know precisely what had been done, the nature of the warrant, and how often such warrants had been issued. This was a case, beyond all others, in which the Minister ought not to think he had done enough to satisfy a House of Commons by merely saying that he had the power; that he had exercised it; that he was responsible for the exercise of such power; but he would give them no account of the manner in which he had exercised it. They had then the fact as to such a power existing; and for the present state of the law neither party was answerable. But he defied them to show, how the public safety could justify any more a letter of his being taken out of the post-bag, than it could justify its being taken out of his desk. Mr Wilkes, when his letters had been

seized and carried to Lord Halifax and the Under Secretary of State, brought an action for those letters, as they were wrongfully seized and without probable cause, and gained a verdict of £1000 damages. He (Mr Macaulay) as a Member of Parliament, wished to learn whether the Secretary of State might not, on some occasion like this, think it his duty on a principle to open all the letters of some thirty or forty representatives of the people, wherein were public and private affairs of great importance. He could not coincide in this view. He believed the House would admit, that he had never been one to indulge in reflections, touching upon the internal affairs of any foreign country; but on the contrary, he considered that as a rule, the tone and manner of the House, as well as the Government, should be marked with the respect and decorum of diplomatic procedure. But while they did not set themselves up as judges, let them not act as spies. 1844.

Sir R. Peel said, an Act passed in the reign of Queen Anne conferred upon the Secretary of State the power to open letters. The powers given by that Act had been deliberately confirmed by the statute of 1837, in which he and right hon. gentlemen opposite had alike concurred: and Government had no choice but to exercise them to the best of their discretion. If Parliament thought fit to put an end to those powers, they ought to be extinguished by a bill to repeal that part of the Act introduced by Lord Melbourne's Administration. He upheld his right hon. friend in thinking that he ought not to enter into details; and upon that it was assumed by the right hon.gentleman (Mr Macaulay) that gentlemen, on account of the political part they had taken in that House, were liable to have their letters opened! It would be a course highly inconsistent with justice to individuals, and pernicious to the

1844. public good, to enter into a public investigation of the reasons which had guided the Secretary of State, in the specific discharge of his duty.

Lord J. Russell considered that no satisfactory results would have arisen from any formal attempt to repeal the law and practice of opening letters at the Post Office. It was only a question whether the legal authority warranted what had been done. He considered that the power, as it now was, must be exercised at the discretion and under the responsibility of the Executive Government, or withheld altogether. The motion for a committee on this subject was one of too much importance to be discussed in so incidental a manner.

Mr Monckton Milnes considered it of the greatest importance that all matters of this kind should remain in the full secrecy of the Executive Government, and he could not vote for the hon. gentleman's motion. He was strongly against a public committee, which would bring to light many private matters. He decidedly objected to depriving Government of a power which they ought to possess, to be used in cases of emergency and difficulty. He considered the question would be satisfactorily decided for all parties, if his right hon. friend would give them to understand that the power had not been exercised for the purpose of affording information to foreign states.

Mr Sheil stated that he knew of but one exception wherein the Minister was not responsible to the House of Commons —that was the Horse Guards. But the same lofty impunity was not to be conceded to the Secretary for the Home Department. Make a Minister irresponsible, and they might be sure that he would become arbitrary, capricious, and regardless of public opinion; but let him be answerable to the House

of Commons for the employment of the power with which he was entrusted, and that power would be cautiously used. He would not trust any Minister of the Crown with the power of opening the letters of foreigners, to oblige a foreign Minister; and if the letters of Englishmen were inspected in times of internal peril, the exercise of the right ought to be open and above-board. 1844.

Lord Howick did not dispute the policy of the Act, which gave to the Secretary of State the power of issuing warrants of this kind; but what he denied was, the propriety with which in this instance this very dangerous power had been exercised. He contended that if the principle were recognized, and Ministers were supported in refusing all explanations, future Secretaries of State might, if they chose, with perfect impunity examine the letters of their political opponents.

Lord Stanley would not enter into details upon the question, but he insisted that the Government were fettered, and were precluded from all explanation by due regard to their duty. He protested against the extravagant assumptions which had been made by the Opposition, which they well knew to be at variance with the practice of every Administration. The power was one very rarely exercised; and in the present case it was only used upon information which had led Ministers to believe that they were warranted in exercising it by considerations of public good.

The motion was rejected by a majority of forty-four.

25th June. Lord Radnor's motion.

Lord Radnor renewed his motion in the Peers next day, for the production of the warrant to the

1844. Postmaster-General, waiving all discussion of the fitness of perpetuating the power entrusted to the Secretary of State, and laying as special ground for inquiry, the uncontradicted allegation made in the Commons, that the letters of M. Mazzini had been opened at the instance of a foreign Court. The Duke of Wellington again declared that he was utterly ignorant of the reasons why the warrant had been issued; and the First Lord of the Admiralty, Lord Haddington, did the same. Both argued that as the statute had lately confirmed the power, and custom had sanctioned its exercise at the discretion of the head of the Home Office for the time being, it would be unfair to the then chief of that department, to censure him for what all his predecessors had done. The Earl of Tankerville stated that having had occasion, not long before, to examine the private papers of a deceased relative, who had been Postmaster-General during the latter part of the American War, he found a warrant under the signature of Charles James Fox, to open and detain all letters addressed to, or coming from, foreign Ministers resident in this country. Lord Denman reprobated the practice as unworthy of the nation and demoralizing to the civil service; but he acquitted Sir James Graham of all individual blame. If, notwithstanding the feelings and opinions Mr Fox was known to entertain, he had brought himself to discharge so unwelcome a duty, he thought it was un-

safe and unfair to require its performance from any public servant, unless it were with narrowly and strictly defined limits. Lord Campbell observed that the course adopted by Government would enable them, whenever they pleased, to baffle all attempts to enforce responsibility; for the only two Ministers who had spoken, were in a condition to disclaim all knowledge of the transaction; and their colleagues, who could if they would explain it, thought fit to be mute. 1844.

The most remarkable circumstance indeed connected with the affair, was the silence of Lord Aberdeen. Every one believed at the time that some application had been made by the Envoy of a foreign Government, for information to aid it in defeating a conspiracy for its overthrow; and everybody knew that such application would naturally, if not inevitably, have been made at Downing Street, not at Whitehall. Yet the Secretary for Foreign Affairs, who was presumed to have required his colleague at the Home Office to obtain the information desired, preserved an unbroken taciturnity, until the 4th July, when in reply to a question, he stated that no part of the correspondence had been communicated to any individual. The haughty courage with which Sir James bore the brunt of all the attacks made on the Government, while the rest of its members escaped comparatively unhurt, was at the time set down to peculiar Lord Aberdeen.

1844. insensibility to popular blame. Nothing could be more unjust. He suffered keenly from the reproaches of which he was the object; but he was too proud to wince while the public eye was upon him: and natures like his find a bitter consolation in the consciousness, that their greater fortitude enables them to bear for others the burthen of a reproach, which they have only been too glad to elude. Popular ridicule settled on a theme which afforded so rich a supply of food; and any hand that sought to put it away was certain to feel its sting. Truth to say, few efforts of the kind were made; and the ceaseless hum of bitter jibe and scoff continued to fill the air, until it had fairly worn itself out. Nameless assailants, reckless of the pain they gave, and many of them no doubt incapable of measuring its likelihood to last, inveterately used their opportunity, and then vanished from sight, leaving their sting in the wound.

Comments in the Press.

—— Spicula cæca relinquunt
Affixa venis, animasque in vulnere ponunt.

Pencil and pen contributed their share to the general buzz of scandal. *Punch* caricatured the Home Secretary as "Paul Pry at the Post Office;" and among his designs for national statues, was one of "Mercury giving Graham an insight into letters," the roguish god being portrayed as in the act of opening an adhesive envelope, by means of the steam from a tea-kettle, while his

attentive pupil looks on. The *Examiner* made equally merry at his expense; while the *Morning Chronicle* more sardonically chafed the "model Administration" with its aberrations from virtue. Finally, the *Times* made impartial fun of the Finsbury Cato, and his once familiar companion in youthful pleasures—of the Whig chiefs, who had never before found out how unconstitutional was the established usage, under their own Post Office Act of 1837, and of the Duke, who, because he took care to know nothing of the affair when questioned, and could wrap himself round in a charmed reputation, took no heed of the storm of pellets directed against his comrades in office, and seemed to think it enough every now and then to mutter,—"Stand at ease." 1844.

But however the Home Secretary might preserve in public the air of equanimity, it was not in his susceptible and despondent nature to feel at ease. It was impossible for him to be unconscious of the damage done to the character of the Administration by the daily reiteration of the charges in question. He felt keenly the injustice that concentrated upon his head, who had but in fact performed perfunctorily what the Foreign Secretary had promised and required to be done, while he and the rest of his colleagues, who confidentially sanctioned it, seemed to be suffered to go scathless by an *un*discerning public. He scorned to let his mortification appear; but it inwardly corroded his Personal feelings.

1844. temper, and betrayed its effects when he was unconscious of a change of tone and manner. Persons even of those belonging to his own political party, who happened to have business to transact at the Home Office, used to come away piqued and angry at his absorbed look and reserved demeanour, which they not unnaturally set down to personal *hauteur*. Others appreciated more justly the bearing of the man on whom the whole weight of obloquy was laid, and who disdained to shift any portion of the blame upon the shoulders of either colleagues or antagonists, by whom he could easily have shown that he had been set the example. This inflexible and almost haughty reserve, was attributed angrily by those who knew him not, to insensibility and arrogance of disposition. "See, how he sits there night after night, with a scornful smile at his assailants, and with words of curt and contemptuous refusal when pressed to answer questions of detail: how totally devoid of feeling he must be!" There never was a blinder or more blundering guess at the hidden truth. Silently and secretly he suffered infinitely more than many of his accusers were capable of comprehending. He was too clear-sighted not to appreciate fully the amount of the mischief to his personal influence and to that of the Government, that had been done; and every nerve of pride and ambition quivered with vexation, as day after day he found himself singled out for vituperation, and

left by the selfishness of others alone to bear it all. 1844.
To the latest hour of his life he never could speak without emotion, of what he called the shabby conduct of the men, who stood by, and saw him baited without mercy, for doing what they had themselves done,—trusting to his honour not to disclose it. He used to say, that more than once he was almost provoked into turning upon his pursuers, and flinging in their faces the whole of the official facts, with names and dates, which formed the ill-omened course of precedent he had been beguiled into following. Happily his better nature whispered worthier counsel; and he always looked back with satisfaction on the mental struggles of this period, and upon his having resisted the temptation.

The subject was far too attractive to be suffered to rest. As the question widened in public importance, Mr Duncombe disdained to make it a means of inflicting personal annoyance merely on the Home Secretary; and when, on the 2nd July, he moved for the appointment of a select committee, to inquire into the administration of the secret or inner department of the General Post Office, the duties and employment of the persons engaged therein, and the authority under which their functions were discharged, he repudiated all idea of casting exclusive or especial blame on the Secretary of State. He was not peculiarly responsible, the Government must equally take the blame. The letters of foreign Min-

Mr Duncombe renews his motion.

1844. isters, he averred, were regularly opened and read in Downing Street. The right hon. baronet had said so much on former occasions, that he must now say more to satisfy the public mind.

Sir J. Graham:—The hon. gentleman has said that this is a question between the people of England and the Government; whatever in its early stage the question may have been, I admit that it has now assumed that aspect. On a former occasion, I said that I had not from the first undervalued the importance of this discussion. I said that it was a question involving great national interests, and naturally exciting deep national feeling. I repeat that I so regard it. I consider it a question of grave importance; and it is my intention to prove that I so consider it. I repeat that the hon. gentleman has correctly treated it as a question between the people and the Executive Government. But the hon. gentleman has said more. He has said that within the last two years—he has specified the period—within the last two years, there has been a most unscrupulous use of this power on the part of Government; he has designated it a use contrary to law. A more grave charge cannot be preferred against any Government, by any Member of Parliament. (Mr T. Duncombe,—I used the words on a former occasion.) I must really beg the hon. gentleman not to interrupt me; I did not interrupt him. I was about to state that, important as the subject is, its importance is considerably magnified by the assertions which have been made on a former evening here and elsewhere, and which have been circulated by the press throughout the country: and it has still further increased in magnitude this evening by the bold assertions and assumptions now for the first time

made by the hon. gentleman himself. He says it is notorious that as the mails arrive, a call is raised from the secret office for the Brighton bag, or the Dublin bag; then for individual letters addressed to particular persons; and at last he went the length of saying he believed that everybody's letters were opened. I took the hon. member's words down. If I am wrong, I am open to correction after I sit down; but I really must appeal to the House for an uninterrupted hearing. The hon. member asserted that first there was a cry for certain bags whenever the mails arrived, then the demand was made for letters of whole streets—he specified the Albany as an example; and then he went on to say—I am sure the hon. member used the expression—that everybody's letters were opened. I am sure that he used the expression that the opening of letters was wholesale, that it was difficult to unravel the mystery, that I had attempted to mystify the House, and that I had already said so much that I must now say more. I am disposed to agree with the hon. gentleman, that the time has arrived when it is my duty to say more. When I consider the state of the public mind—so sensitive upon this subject,—when I consider the efforts which have been made to inflame it, assiduously made, successfully made, designedly made, to create a false prejudice, I agree with the hon. gentleman that the time has arrived when I must say more, when it is my duty to say more, and when I am resolved that the truth, the whole truth, and nothing but the truth, shall be disclosed. Now, Sir, when I last addressed you upon this subject, I addressed you under circumstances very different from those which now present themselves to my consideration. My immediate predecessor in the office which I have the honour to hold, had stated in the most solemn and

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Sir James desirous of full inquiry.

1844. positive manner, in his place in Parliament, that he believed that the power given to Secretaries of State, as to delaying and opening letters, was a power necessary for the safety of the State, that it was exercised on the responsibility of the Secretary, that he himself had exercised it, and that he had no reason to believe that I, his successor, had used the power in a manner inconsistent with my duty, or different from the manner in which my predecessors had employed it. It was under these circumstances that I addressed the House when the hon. member last made his motion, and when I followed him in debate. Are these the circumstances under which I now address you? Sworn servants of her Majesty, Privy Councillors, versed in the affairs of State, conversant with the habits of office, well knowing what it has been their duty to do, and what their predecessors had done, have thought fit deliberately to impugn my conduct; the right hon. gentleman (Mr Macaulay) for one, has not thought it unbecoming his station and abilities, possessed as he is of powers of declamation perhaps hardly equalled in this House, —he has not thought it unbecoming of him to come down—I fear not without preparation,—and to pour forth the most impassioned language, pointing out to the indignation of the House and the public, not the law, not the system, but me, the Minister of the Crown, acting in discharge of an official function well known to my predecessers, and exercised by them. He said, I think, that it was not to the legal existence of such a power that he objected, but to the departure from the established mode of its exercise—to the manner, in fact, in which I had employed it. Did he stand alone? Did no other sworn Councillors of her Majesty say the same thing? What was the tone of the noble lord (Howick)? These members might

not indeed be conversant with the details of the administration of the office I have the honour to occupy; but I see in his place the noble lord, the member for the City of London, not my immediate predecessor, but one who held the Seals of the Home Department for several years; he knows the practice of the office; he knows what he did in that office; yet he also did not think it inconsistent with his duty to vote in favour of a motion for inquiry, not because he objected to the existence of the legal power, but because, forsooth, he said he was of opinion that it had been exercised by me not in the accustomed manner and according to usage. What, let me ask, has been the inevitable effect of the motion so made and so supported? To induce a conviction that I labour under a stigma peculiar to myself, of either having introduced a new practice, or of having departed in some important particular from precedents long established, not only by the practice of my immediate predecessor, but of my predecessors from an early period. I will tell the House frankly that, however unworthy the attempt thus to crush any individual who is a political opponent, there is no load of obloquy to which I would not submit in silence, if I believed it was for the public good that investigation should be withheld any longer. But after what has taken place within the last ten days,—after the votes given on the former occasion by the noble Lords Russell and Howick, and the right hon. gentleman (Mr Macaulay) and Sir G. Grey, all Cabinet Ministers, and by other gentlemen, some more and some less conversant with the practice of the Executive Government,—I do say that the maintenance of this power without inquiry is impossible, and that a full inquiry may now be made without any sacrifice of what is due to the Crown or to the public, while it will re-

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Practice of former Ministers.

1844. lieve me from calumnious surmises and an unjust load of obloquy; it may be made too without any additional risk to the legal power, which is now not only endangered, but positively destroyed by what occurred on a former occasion, and especially by the speeches and votes of those who have served her Majesty in high and confidential offices. I can now indulge my private feelings consistently with my public duty; and I can be a party, ay, and I will be a party, to the most searching inquiry into the state of the law and the practice from the earliest period down to the latest moment. As far as I am concerned, nothing whatever shall be concealed. I am prepared to go before a committee, and to give evidence, stating fully everything I have done in concurrence with my colleagues, and everything that has been done by my predecessors, and in order that there may be the most complete and entire revelation, I will propose terms so general, as to ensure a thorough investigation. The power given by law is not confined to England and to the Secretary of State, for it belongs also to the Lord-Lieutenant of Ireland; and I hope that the inquiry will be extended to the exercise of the power by him. All I wish is, that the inquiry may be full and complete; and the result will be, as far as I am concerned, that the power has been exercised in the strictest conformity with the established usages of my office. That usage has not only been recognized by the State, but by various reports of committees of this House the practice has been brought under the special and immediate notice of Parliament and the public. It has been recognized by the State more than once, even at a recent period, on the consolidation of the statutes relating to the Post Office. It will appear, also, that neither in the mode nor in the extent of the use of the power, can my

conduct suffer by a comparison with that of former Secretaries of State, and I am rejoiced to think that there is now at least an end of all mystification. The course I am about to recommend will be not less satisfactory to myself than the friends who sit around me. In conclusion I therefore propose a secret committee of nine, a majority of whom shall be of the party opposed to the Government, and none of whom shall be persons who hold, or have held, political office. The names I suggest are Lord Sandon, Mr Wilson Patten, Mr T. Baring, Sir W. Heathcote, Sir Charles Lemon, Mr Warburton, Mr Strutt, The O'Conor Don, and Mr Orde. To this committee I gladly submit my personal honour and my official conduct: and I make the submission without fear. Though very dear to me, my honour is comparatively of small consequence in a question of this sort. I entrust it to them. I place it in their power, and I await their judgment, reserving always an appeal to this House. They will have to report upon the usage of the office, and upon the state of the law which has existed from the earliest times, and which has been sanctioned by the authority and practice of men long since gone to their great account; great constitutional authorities, men of spotless honour in private life, who dearly loved the liberties of their country. I have no doubt that the members of the committee will faithfully discharge their duty; and although there has been some evil in the late discussions, and in the agitation of the public mind on this subject, I hope, believe, and pray that good may be the ultimate result.

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Proposal of a Secret Committee agreed to.

The fairness of this proposal won the unanimous assent of all who heard it, and the committee was

1844. nominated forthwith. Sir James's examination occupied four days; and the pledge he had given to the House, of a full and unreserved disclosure of all he knew, he thoroughly redeemed. The Duke of Wellington, Lord Aberdeen, Lord Melbourne, Sir R. Peel, and Lord J. Russell, were likewise examined, and stated what had been the practice during different Administrations. Lord Melbourne insisted upon the necessity of the power conferred by statute on the Executive of opening letters, whether foreign or domestic, being maintained. The Duke took a similar view. Sir Robert Peel expressed doubts of its practical utility, and seemed to think its exercise might be still further circumscribed. Several witnesses were examined connected with the department. Mr Duncombe, on being asked for a list of witnesses who could prove, as he said, all his allegations, refused to hand in the names unless he were allowed to be present during the examination. This the committee had no power to grant; and he consequently declined to proceed. Mr Duncombe appealed to the House on the 18th July; but the decision of the committee was confirmed. A great mass of documentary evidence serving to illustrate the history of the postal service in former times, and the nature of the control exercised over it by the Government, as well as the interference of Parliament from time to time, with the manner in which it was conducted, was likewise laid before the committee,

and in a condensed form it is to be found embodied in their Report. After an elaborate account of the growth of the Post Office as a department, and the steps by which supervision for political purposes was maintained over it under the Tudors and the Stuarts, the Report proceeds:— 1844. Report of Committee.

"In reviewing that period of the history of the country which commences with 1641, your committee beg to notice the following incidents, as bearing on the subject of their inquiry. Repeated stoppages of the foreign mails were made by the orders of the two Houses, and committees were appointed, composed of members of both, to open and read the letters stopped. On one of these occasions Mr Pym reported the answer of the Lords to a message from the Commons, to stop the foreign mails, 'that they did yeald to the opening of letters; but it would be very inconvenient if often used.' The opening and detention of the letters coming from France and Antwerp in Nov. 1641, led to a complaint to the King and to the Lords, from the Ambassador of the Republic of Venice. The preamble to the Act of Cromwell's Parliament, for settling the postage of England, Scotland, and Ireland, enumerates among the advantages of the post, that it is the best means 'to discover and prevent many dangerous and wicked designs which have been and are daily contrived against the peace and welfare of the commonwealth, the intelligence whereof cannot well be communicated but by letters of escript.'

"No preamble similar to that which the Act of Cromwell contains, appears in the statute of Charles II., for erecting and establishing a post office. But in the lease granted to Bishopp, the profits to arise from the post office, under the

1844. Act which Parliament was to be moved by his Majesty speedily and effectually to pass, it is agreed that the lessee shall permit and suffer the said Secretaries of State for the time being, or either of them, from time to time, to have the survey and inspection of all letters within the office aforesaid, at their discretion: and the same power is reserved to the Secretaries of State in the lease granted to Bishopp's successor, O'Neal.

"The 9th Anne, chap. 9, was the first statute which recognized the practice of opening letters under circulation. On several occasions in the last century, in Parliament and in courts of judicature, this practice was brought distinctly under public attention. In 1722, in the course of the proceeding on the Bill of pains and penalties against Bishop Atterbury and his associates, the principal evidence adduced against the parties accused, was that of post office clerks and others, who in obedience to warrants from the Secretary of State had detained, opened, copied, and deciphered letters to inform the parties. The Bishop's counsel raised a doubt whether the copying of a letter was sanctioned by the Act; but in no case was any question raised as to the legality of the warrants. In 1735, complaint having been made in the House of Commons, by certain members, that their letters had been opened and read by the clerks of the post office, on the pretence of ascertaining whether or no their franks were counterfeited, a committee was appointed, to whom was referred the examination into the subject. On the committee making its report, the House resolved 'that it is a high infringement of its privileges for any post-master, his deputies or agents, to open or look into any letter directed to, or signed by the proper hand of, any member, *without* an express warrant in writing under the hand of

one of the principal Secretaries of State, for every such open- 1844.
ing.' Sir Robert Walpole and Mr Pelham were said to have agreed to the appointment of this committee on an understanding that it should not inquire into any of the secrets of Government. In 1742 the secrets of Sir R. Walpole's Government were somewhat rudely pryed into, by the secret committee to inquire into his conduct during the last ten years. That committee, in its report, gave a description of the establishment for inspecting letters, as maintained by the Government, but abstained from stating on what occasion that establishment had been made available. Under the pressure of the Rebellion of 1745, his successors issued warrants for stopping and opening post letters, of a very general character. In 1758 Dr Hensey, a physician, was tried on a charge of high treason. The principal evidence on which he was convicted was, that of a letter-carrier and a post-office clerk, the latter of whom had opened his letters, and delivered them to the Secretary of State.

"In 1764, Mr Dyson, chairman of a committee on the subject, was directed to move the House 'that it be an instruction to the committee to inquire into the abuses committed at the Post Office by opening inland letters.' But the motion was negatived. At the trial of Horne Tooke for high treason in 1795, a letter written to him by Mr Joyce, a printer, was intercepted at the post-office, and was stated by the prisoner to be the immediate occasion of his apprehension. On his requiring its production it was produced in court by the Crown officers, and given in evidence. It seems almost to have been forgotten by the public that such a practice ever existed. The committee have had before them, with few exceptions, every person now living who has held the seals

1844. of Secretary of State for Home or Foreign affairs since 1822, as well as two noblemen who have discharged the office of Lord-Lieutenant of Ireland, and several persons who have held confidential situations under them. From the commencement of the present century, if not from an earlier period, down to the present time, the practice has been, with very few exceptions, for such warrants to issue only from the Home Office. It was not until 1806, when Earl Spencer became Home Secretary, that the practice was introduced of recording the issuing of every such warrant in a private book, belonging, not to the head of the department, but to the office, and always accessible to the two under secretaries and the chief clerk. That practice has been continued without interruption to the present time. From the year 1822, the original warrants themselves are preserved at the post office. A schedule (confessedly imperfect) is given of 101 warrants issued from 1712 to 1798; a second schedule, believed to be accurate, of 372 warrants from 1799 to 1814, or about eight in each year, and on an average two persons to each warrant. Of these, 89 appear to have been issued without any particular cause being assigned. The Secretaries who signed the warrants for the last one hundred years are thus named in order. In the 18th century,—

1735, Duke of Newcastle.
1749, Duke of Bedford.
1752, Earl of Holdernesse.
1755, Right hon. Sir T. Robinson.
1756, Right hon. Henry Fox.
1763, Earl of Halifax.
1765, General Conway.
1766, Duke of Richmond.
1766, Earl of Shelburne.
1770, Earl of Sandwich.
1770, Earl of Rochfort.
1776, Viscount Weymouth.
1778, Earl of Suffolk.
1782, Right hon. T. Townshend.
1782, Right hon. Charles J. Fox.
1784, Marquis of Caermarthen.
1799, Duke of Portland.
1801, Lord Pelham.
1803, Right hon. Charles Yorke.
1804, Lord Hawkesbury.
1806, Earl Spencer.
1807, Right hon. W. Wynn.

1807, Right hon. R. Ryder.
1812, Viscount Sidmouth.
1822, Sir Robert Peel.
1822, Right hon. G. Canning.
1823, Earl Bathurst.
1827, Viscount Goderich.
1827, Right hon. W. S. Bourne.
1827, Marquis of Lansdowne.
1830, Viscount Melbourne.
1833, Lord Palmerston.
1834, Viscount Duncannon.
1834, Duke of Wellington.
1834, Right hon. H. Goulburn.
1835, Lord J. Russell.
1838, Lord Glenelg.
1839, Marquis of Normanby.
1841, Sir James Graham.
1844, Earl of Aberdeen.

1844.

"In 1738 and 1741, warrants appeared to have been issued concerning the practice then prevalent, of enlisting persons in Ireland for the Irish Brigade in France. In 1799 a warrant was issued to open the letters of eighteen persons in Manchester and Liverpool. In 1812 warrants were directed to the several post-masters of Nottingham, Manchester, and Glasgow, directing them to open all such letters as should appear to A. B., to be of a suspicious nature, and likely to convey seditious information. Another warrant to nearly a similar purpose, was directed in 1817 to the post-master of Nottingham. In the present century, some few are of a very general nature. In 1801 orders were given to open all letters addressed to persons in France, Flanders, and Holland, and all letters addressed to Dover, supposed to contain letters addressed to these countries. In 1842, during the prevalence of disturbances in the manufacturing districts, warrants were issued to open the letters of seventeen persons engaged in those proceedings, many of whom were subsequently indicted and convicted of seditious acts. Clerks were sent from London to inspect such correspondence. The same course was adopted in South Wales during the disturbances there. The warrants in these cases did not remain in force for more then eighteen days, when they were cancelled. The warrant to open M. Mazzini's letters was issued on the 1st March, and

1844. cancelled on the 3rd June, 1844. Throughout that period the intercepted correspondence was transmitted *unread*, from the Home Office to the Secretary of State for Foreign Affairs. The facts of the case, as far as the committee feel themselves at liberty to disclose them, appear to be as follows:—Representations had been made to the British Government from high sources, that plots, of which M. Mazzini was the centre, were carrying on upon British territory to excite an insurrection in Italy; and that such insurrection, should it assume a formidable aspect, would, from peculiar political circumstances, disturb the peace of Europe. The British Government, considering the extent to which British interests were involved in the maintenance of that peace, issued on their own judgment, but not at the suggestion of any foreign power, a warrant to open and detain M. Mazzini's letters. Such information deduced from those letters as appeared to the British Government calculated to frustrate this attempt, was communicated to a foreign power; but the information so communicated was not of a nature to compromise, and did not compromise, the safety of any individual within the reach of that foreign power, nor was it made known to that power by what means or from what source that information had been obtained. A warrant to open and detain all letters addressed to M. Warcell and to M. Stolzman was issued on the 17th April, 1844, and cancelled on the 20th June. A warrant to open and detain all letters addressed to M. Grodicki at Paris, and to another foreign gentleman, was issued on the 3rd June, 1844, and cancelled on the 13th of the same month. The last two warrants rested on grounds connected with the personal safety of a foreign Sovereign, entrusted to the pro-

tection of England.* It appears to your committee that under circumstances so peculiar, even a slight suspicion of danger would justify a Minister in taking extraordinary measures of precaution. The committee have not learned that there appeared in the letters that were detained anything to criminate the gentleman whom the committee have very reluctantly named. 1844.

"The general conclusion which the committee draw from the returns before abstracted is, that in equal intervals of time, these warrants have been issued in nearly equal numbers, by the several Administrations which have been in power from the commencement of 1799. For although in certain years, in consequence of internal commotion, it happened that the number of warrants issued by certain Secretaries of State was unusually great, yet in other years the number of warrants they issued for similar purposes, proved to be unusually small. Formerly, through some inattention, it was probable that many a warrant had become inoperative long before the period when it was cancelled. In that respect there was a marked improvement in the practice of the present Home Secretary, as compared with that of his predecessors."

The Committee did not recommend any change in the existing law, though they intimated their doubts of its supposed utility, as a means of preventive police. No hint of blame in any particular was dropped, with reference to the manner in which the statutable power had been exercised by Sir J. Graham; and the Report, which was unanimous, was presented to the House on the 5th August.

* The Czar Nicholas, then in England.

1844. Report of Lords' Committee.

Contemporaneously a similar inquiry took place in the House of Lords. The Duke of Wellington moved the appointment of a secret committee of seven—namely, the Earl of Burlington, the Earl of Roseberry, Lord Brougham, Lord Cottenham, Earl Somers, the Bishop of London, and Lord Colchester—who were to inquire into the whole subject.

In substance, the report of the Committee of the Peers was identical with that of the Commons; and, like theirs, it was agreed to unanimously.

"They found that about two-thirds of the warrants annually issued for the opening of letters since the year 1822, were for the purpose either of tracing persons accused of offences, or of tracing property embezzled by suspected offenders. The applications had generally been made by magistrates or by solicitors conducting prosecutions; and these parties had been put in possession of any useful information thus obtained, but not the original letters, which had been usually returned to the post office to be forwarded to their original address. The detention of letters had been invariably refused when civil rights had alone been concerned. In some instances it was known to have led to the apprehension of offenders, and the recovery of property. The issue of six or seven warrants annually, in proportion to 30,000 or 40,000 committals, could not be an efficient instrument of police; but on the other hand, the issue of six or seven warrants upon a circulation of 220,000,000 of letters, could not be regarded as materially interfering with the sanctity of private correspondence: which with these exceptions, there was not the slightest ground to believe had ever been

invaded. The second class of warrants had been issued at periods, when the circumstances of the country had seemed to threaten public tranquillity. They had scarcely exceeded, upon an average of 21 years, two annually in Great Britain, and though under some of the warrants, not a single letter had been opened, under others, many had been detained and examined. It did not appear that from any one of these letters, specific knowledge of any great importance had been obtained. Yet it was the concurrent opinion of witnesses who had held high office, and who might be considered competent to form a sound judgment, that they would reluctantly see this power abolished. In Ireland the power vested by 23 & 24 Geo. III., chap. 17, in the Lord-Lieutenant, had been very sparingly used, and the number of warrants issued did not exceed two annually, and these were chiefly for the detection of suspected criminals. 1844.

"The letters of M. Mazzini were for about four months stopped and opened, under the warrant of the Secretary of State for the Home Department, and inspected by the Secretary of State for Foreign Affairs, upon an apprehension that he was engaged in a correspondence, having for its object designs which might be injurious to the tranquillity of Europe. Certain parts of the information thus obtained, were communicated to a foreign Government, in so far as such a communication appeared to be warranted; but without the names or details, that might expose any individual then residing in the foreign country, to which the information was transmitted, to danger. The committee were bound to state, that having looked back to the proceedings of several Secretaries of State for twenty years, they had found that the practice had been nearly uniform; that the power had never been exercised from personal or party

1844. motives; and that in every case investigated, it seemed to have been directed by an earnest and faithful desire to adopt the course, which appeared to be necessary to promote the best interests of the country. For a long period, and under successive Administrations, it had been an established practice, that the correspondence of foreign Ministers passing through the Post Office, should be sent to a department of the Foreign Office, before the forwarding of such correspondence. The Postmaster-General had, since June, discontinued it altogether."

A member of the Commons committee, happening in conversation with one of the diplomatic body, to advert to the last-named practice, was met with an assurance that communications transmitted through the Foreign Office bag were still occasionally opened: and when asked how he could be certain of the fact, he gave the circumstantial proof of a slight error, which he indicated, in the imitation seal used to re-close his letters. He added that he was in the habit of looking for the distinctive mark in question, whenever his correspondence was of a peculiarly confidential nature, in order that he might satisfy himself thereby, whether it had been read or not.

Another curious anecdote may be given upon equally good authority, as illustrative of the practice elsewhere, in such matters. Surprised at the discussions which had taken place in the House of Commons, on a matter which had almost passed out of popular remembrance, the opposition in the French Chamber of Deputies became uneasy, lest what continued to be done by one constitutional

Government, might not likewise be done by another. 1844.
M. Guizot was asked to say whether an inner or special department for the inspection of letters was still maintained at the Post Office, like that formerly known under the name of *Le Cabinet noir;* and he was able with truth to reply in the negative. But when Lord Aberdeen was asked how far he understood the denial to extend, he said that it could not have been meant to include diplomatic correspondence; for he happened to have in his possession a letter which he had no doubt whatever had been opened in Paris.

Attempt to revive the discussion.

As far as Parliament was concerned, the Reports of the Committees of the two Houses seemed to be conclusive. The Home Secretary was declared to have done nothing which his predecessors of all shades of opinion had not done before him; and nothing which the statute recently passed, did not provide that he should do. If his assailants were sincere, it was their duty upon the finding of these two parliamentary juries, to have taken steps to procure the repeal of the law, which had caused him to err. If they really believed that the public conscience was wounded by the inspection of letters, they ought never to have been content, until they had put an end to the legislative authority, under which it was done. Or if they believed in their own distinction between the rightfulness of inspection where crimes against person or property were to be

1845. searched out, and its wrongfulness where employed to thwart political schemes abroad or at home, then palpably they were bound to define in legal language such a distinction, and to urge its enactment without delay. Out of doors there were thousands of voices that would have been honestly raised in favour of such a course of proceeding; and it is by no means clear that if it had been taken, while the subject was still fresh in men's minds, it would not have been successful. But nothing of the kind was done, or seriously contemplated by any of those, who possessed character or weight enough to carry such a proposal.

18th Feb. Early in the following Session, indeed, Mr Duncombe called the attention of the House to what he termed the unsatisfactory and evasive character of the report of the Secret Committee. He professed to believe that false dates had been given in evidence, as to the period during which M. Mazzini's letters were opened, and that the warrant laid before the committee had been fabricated for the occasion. While the Committee were sitting, the brothers Pandiera, who had been in correspondence with M. Mazzini, quitted Corfu, landed in Calabria, and with seven of their adherents were seized, tried, and executed at Cosenza on the 25th July. Was this the consequence of the information communicated by the Foreign Secretary to foreign States? If not he should like to have the circumstances explained. He reiterated all his former charges of Post Office

espionage; and denounced the Secret Committee, for having evaded the duty they were appointed to perform. The Secretary of State, while guilty, he said, of opening his letters, had not had the courage to avow it. He concluded by moving the appointment of a Select Committee to investigate the whole subject over again. 1845.

The Home Secretary felt the disadvantage he had to contend with, in the strong prejudice which existed against the public servant, who had to discharge this particular function. He could not be unconscious that he stood in an assembly of gentlemen, whose generous natures made the execution of that duty repulsive to them, which as a public servant he was compelled to perform. The hon. member for Finsbury had had the advantage of that prejudice, and had not been very sparing in the use of it. He must entirely deny however, that any effort was made by the Government to suppress inquiry. When the matter was first mooted he had said, what he now repeated, that it was not for the public good, nor consistent with his duty, that he should publicly discuss the precise mode in which he, bound by his oath of office, had consulted what appeared to him to be the public interest; but he stated frankly, that if it were the wish of the House, and if he were released by the Crown from his oath of secrecy, he was willing to make the most ample disclosure of every circumstance within his knowledge. After full debate the House determined to appoint a Secret Committee as the proper tribunal, before which the inquiry should be made. How was that Committee constituted? Nine gentlemen could not be found, more entitled to the confidence of Parliament or the country. He pledged his honour that

1845. every minute detail, without exception and without reservation, within his knowledge, was laid before them, not extorted from him in the course of his examination, but voluntarily tendered. They knew that there had been no difficulty in obtaining from him all the evidence that he could supply. There was not any one subject referred to by Mr Duncombe which did not form part of his evidence. He repeated, he kept back nothing. If his conduct with respect to this accusation was such as to affix disgrace upon him, that conduct was brought fully before the Committee, and was placed under their review; and if, under those circumstances, he was acquitted by them of meanness and baseness, he had at least had the courage before them to make a full disclosure of the whole of his conduct. Charges were easily made of want of courage and of baseness, whether official or otherwise; and if it were considered by the House to be consistent with its dignity to have such charges bandied about, they were to him matters of comparative indifference. He had been acquitted as a gentleman and a Minister of the Crown, by the Committee of Nine, of the imputations laid to his charge; and he cared not a rush what the opinion of the hon. member might be, as opposed to theirs. It was not for him to defend the Report of the Committee, but this he would say, that there were on that Committee some of the most experienced and most honourable men in Parliament, and all were men utterly incapable of wilfully deluding the House. He believed they investigated the matter with care; and he was satisfied they detailed to the House the exact impression, which the result of their inquiry made upon them. The House should recollect that every statement of his before the Committee, was contrasted with the evidence given by officers from other de-

partments; and if any inaccuracy existed in the former, it would have been corrected by the latter. The Committee had besides the advantage at the time, of cross-examination, and of other testimony from a great variety of quarters. He knew not what evidence was given by other witnesses before the Committee; but every one was aware that the Postmaster-General and many of his subordinates, were carefully examined. 1845.

Before the Committee of the other House, he underwent an examination as searching and as full, as before that of the Commons. All the facilities for contradiction to which he had adverted, were available there also. In the Committee of the Commons there was, it was said, no eminent lawyer, no person conversant with the examination of witnesses, no person apt at the exhibition of that art of torture by cross-examination, by which the truth, in the tribunals of this country, was elicited with greater certainty, than in any other tribunals in the world. In the other House, was that the fact? Was there no experienced and eminent lawyer on the Committee? It so happened that upon the Lords' Committee sat two of the most distinguished lawyers now living, both of whom had held the Great Seal, and had been at the head of their profession,—Lord Cottenham and Lord Brougham. In consequence of regulations made in 1806, it was not possible for the Secretary of the Home Department, unknown to other persons, to issue any warrant. The Under Secretaries of State, as well as the chief clerk, must in every case have cognizance of the fact. So much for the fabrication of a warrant, and the assignment of a false date, which Mr Duncombe had alleged. An imputation had been cast on the honour and truth of Lord Aberdeen in round terms,

1845. and in the most offensive manner. He was said to be accountable for the supposed use made of the contents of M. Mazzini's correspondence; and the fate of the unfortunate gentlemen who had lately perished at Cosenza, had been laid at the door of the Government. But Lord Aberdeen in his place in the Lords, had positively and distinctly stated that he had communicated nothing to any foreign power, which could compromise the safety of any individual, and though Mr Duncombe did not, the Secret Committees of both Houses did, believe his word thus given. He entertained a strong opinion with reference to this odious, invidious, and obnoxious power, vested in the Secretary of State. For domestic purposes it was practically inoperative, and the exercise of it was open to many grave objections. It was only to be defended upon the ground of the necessity for its exercise. But with reference to our foreign relations, this power must be defended on different grounds. This was the only country in Europe where the Government possessed no power over a foreigner, who for political purposes abused our hospitality. It certainly was believed by the Government of this country, that at that particular juncture, a conspiracy was formed for the purpose of making a descent on the coast of Italy, with the design of exciting internal disturbance in that country; that the danger was not imaginary but real, that the conspiracy was formidable, and that if the design had been carried into successful execution, the peace of Italy would have been disturbed, and Ministers believed that under those circumstances, the peace of Europe could not have been preserved; if war had ensued, England could not have remained a spectator of the conflict. It was asserted that a descent on the coast of Calabria being contemplated, an unfair use was made of this informa-

tion by the Executive; and they were told that a trap had been laid for the conspirators, who, it was alleged, were in communication with M. Mazzini. He denied in the most solemn manner that any trap was laid for the individuals in question. In the first place, a descent on the coast of Calabria was not expected. The conspirators in question concocted their plans at Corfu, and sailed from thence. It was not true, that the point of their destination was believed to be the coast of Calabria. No information whatever had been given by the British Government to the Neapolitan Government on the subject. So far from the Neapolitan Government having prepared troops for the reception of the persons, who, it is alleged, were led into a trap, they landed without meeting any troops. They were opposed not by troops, but by the civic guard, a force similar to the *posse comitatus* in this country, a body imperfectly armed; and it was not till after the lapse of a considerable time, when troops had been despatched by steam-boat, that the insurgents came into contact with the forces of the Neapolitan Government. He certainly could state with confidence, that all the information received through the post office was transmitted, unread by him, to the Secretary of State for Foreign Affairs; and he repeated the solemn assertion of that noble Lord, that he never transmitted to any foreign minister, any original document, or any copy of a document, but that he only communicated the substance of the information he obtained, suppressing names. He was satisfied from the assertion of his noble friend, that he had imparted to a foreign power, nothing which could compromise the individuals, who unhappily had since paid the forfeit of their lives, for their unsuccessful effort to raise insurrection in Italy. But the practical question was this,—would they 1845.

1845. revoke the power which had been given by statute to the Secretary of State, ever since the reign of Queen Anne? They could not require further information on the subject; everything inquiry could give, was before them. If they should be of opinion that upon the whole, this invidious power was not necessary for the public safety, then the proper course would be, either to revoke the power by repealing the statute; or if they should consider that further safeguards were necessary for its exercise, it was their duty to impose the necessary checks. But if they thought, upon the whole, it was for the public advantage that this power should be retained, then he said it was impossible for any one holding the office he had the honour to fill, to exercise faithfully, fearlessly, honestly, and advantageously to the public, the power entrusted to him by his Sovereign through the confidence of the House—for if the confidence of the House were withdrawn, no Sovereign could retain a Secretary of State for a single day,—if he was to be called upon in his place in Parliament, publicly to declare the reasons and circumstances which led him, in each case, to exercise it.

Viscount Sandon, who had been chairman of the Committee, said,—"They had resolved not to gratify the prurient curiosity of individuals, by giving more of each case than they felt it their duty to report. They had drawn up an unbiassed statement of the general nature of the transaction, and supplied ample materials for the House to form an opinion on the subject of the extraordinary power in question. As to the amount of information laid before the Committee, he believed he spoke the opinion of all its members, in saying that it was most complete, full, and unreserved. The authorities, high and low, had given every information on the various

parts of the subject, and supplied the means of checking their assertions by reference to documents. Nothing further in the way of information could be supplied. This country had ever exhibited peculiar sympathy with the oppressed — had always afforded a refuge to political exiles of every description, and the circumstances connected with the letters of M. Mazzini, and with the insurrection which had taken place, naturally excited this public sympathy in a peculiar degree. He could fairly say with reference to that point, that the Committee had the best means of knowing, that the information given to a foreign power, had not led to the disastrous consequences ascribed to it. The hon. gentleman had drawn a moving picture of the danger to which, he said, a number of Poles had been subjected, by similar information given to another power, but he (Lord Sandon) might, without breach of confidence, reassure those individuals by informing them, that no communication whatever, either as to the names of the correspondents, or as to the contents of the letters, had been communicated to any foreign power." Mr Hume "thought nothing could be fairer than the statement of the Home Secretary, and he hoped the controversy would not be made a mere personal matter. The power had no doubt long existed, and at times it might have been usefully exercised. But it was liable to great abuse; and the attention of the people having now been fixed upon it, they expected Parliament to take steps to put an end to it in future. He could not credit all the statements of his friend the member for Finsbury, because he could not believe the Government would do what he had imputed to them. If any harsh expressions had been applied to the right hon. baronet, he was sorry for them; and he must express his wish that it 1845.

1845. should be looked upon as a power, which all preceding Secretaries of State had exercised, more or less, as they in their discretion thought proper. But let by-gones be by-gones, and let the House endeavour to prevent the evil for the future."

Sir R. Peel said,—"If the principle of this power is wrong, it is not the Executive Government which is responsible, but Parliament. It is you, the House of Commons, who, with a full knowledge of all the circumstances, or with the knowledge which you ought to have had, have placed in our hands this instrument for maintaining internal tranquillity, and preserving general peace. For no less than 150 years, this power has been exercised by the Executive Government. Don't pretend ignorance of your own acts. At various periods you have had the whole of this subject under your consideration. In the year 1735 (a laugh)—Oh, I will come down to later periods; it may be very well for you now to pretend ignorance of your own history; it may be very well for you to charge us, the Executive Government, with misconduct, and with assuming a power which our predecessors had not: but that power was conferred by you, and you are responsible for its existence. In 1735 it was expressly admitted by the resolutions of the House of Commons, when it was declared to be a breach of privilege in any post-master or agent to open any letter of a member of the House of Commons, unless under a warrant from the Secretary of State. That was your own resolution. Well, in 1745 the power was exercised. Of that you perhaps were not cognizant; but it has been exercised by Secretaries of State the most remarkable for their knowledge of constitutional privileges, and for their defence of civil liberty. But if the House of Commons is ignorant of what passed in 1745,

what does it say to its own recorded Act of 1837? In that year you were parties to an Act, which expressly recognized the existence of the power in the hands of the Secretary of State. That Act subjects to a penalty any officer of the Post Office for delaying, opening, or detaining the post letter of any person, except in obedience to an express warrant in writing, under the hand of one of the principal Secretaries of State. If this be not an express and direct recognition of the power by a recent Act of Parliament, I know not what can be. I say then that the Government exercises this power, under the authority and sanction of this House. You hold us responsible for the maintenance of public tranquillity, and the preservation of internal peace. This is one of the instruments which you have committed to our hands, for the maintenance of that peace. If we allow that peace to be compromised, from a cowardly abandonment of the trust which you yourselves have committed to us, then in the hour of danger, you will be the parties to remind us of the powers you have given. * * * I know nothing more painful than the possession of powers of this nature. If we have reason to believe that in this free country, plans are concocted for disturbing the tranquillity of other countries, then it becomes, no doubt, a painful and difficult question to decide, not whether we shall betray individuals, but whether we shall give notice to foreign and friendly Governments, of the danger. And if, in addition, we foresee that in that internal disturbance of another country, there are the elements of a general war—then the original difficulty as to the exercise of this power becomes greatly increased; and it is a most serious question, whether or not we shall exercise the power thus conferred on us by law. I am quite conscious that this House and the coun- 1845.

1845. try were not generally aware of the exercise of this power. I am quite conscious that the presumption at first was, that we had arrogated to ourselves a power which none of our predecessors in office had possessed. We bore the first brunt of the public storm, and seeing the state of public feeling on the question, it became necessary to allow a Committee to be appointed. In that Committee there was a majority of our political opponents. Before that Committee we stated every fact, concealing nothing. Our opponents who preceded us in office did the same, and they made disclosures as unreserved as we did. The noble Lord (J. Russell), the late Secretary for Foreign Affairs (Lord Palmerston), Lord Aberdeen, my right hon. friend, and I were examined, each of us having had permission of her Majesty to make full and unreserved disclosures. We did so; we withheld no fact, whether connected with the interests of individuals or of the country, in order that the Committee might be able to judge whether the power had been abused: and now we are asked to make the evidence given on these conditions, public! I hardly think the House will agree in that view. In times of imminent danger, you have the choice of exercising the power of opening the letters of persons, whose letters when so opened, may be perfectly free from blame; or of incurring all the evils which may arise by refusing to exercise the authority so reposed in you. During the visit of the Emperor of Russia, from circumstances which came to our knowledge, we deemed it necessary to open certain letters, which when opened disclosed nothing which could involve any parties; and it then appeared that in these cases, there was no necessity for exercising such a power. But, if any of you had been a Secretary of State, when the Emperor of Russia was in this country, you

would then have known the anxiety and solicitude, which, under such circumstances, embarrass the course of a minister. Had there been a fatal issue of that visit, the Secretary of State, who had neglected the care and caution which you now think unnecessary, would never have been permitted to forget his imprudence and want of foresight. I will conclude, then, by saying, that we may, in the exercise of this power under doubtful circumstances, and in critical times, have made a mistake; but remember what would have been our position if, by a refusal to exercise it, we had endangered the life of any man, or compromised the interests of the nation. If you believe, with the Committee of the House of Lords, that we have not exercised the power from personal or party motives,—if you believe with them, who had every fact before them, that when we exercised the power, the exercise of it was directed with an earnest and faithful desire to adopt the course which appeared to be necessary, to promote the ends of justice, or prevent the disturbance of the public tranquillity,—then I ask you, who gave us this power; you, who made us responsible for the exercise of it; you, who would have been the first to blame us, had calamity ensued from the *non*-exercise of it; you, who appointed that tribunal, whose Report you have got before you—not to imply a condemnation of your own Committee, and not to imply a suspicion of us, by subjecting us to another Committee, to another tribunal." 1845.

Mr Warburton thought the Committee had done their duty in not giving details of particular cases; but he thought the power was hardly worth retaining. Mr Macaulay would retain the power; but limitations on its future exercise ought to be pro-

1845. vided. He would vote against further inquiry as superfluous, "the subject being ripe for legislation." Mr H. G. Ward looked to the practical part of the question; and whatever odium might attach to such a declaration, he must say that he believed that some power over letters transmitted through the Post Office was absolutely necessary * No Government could allow the Post Office to be used against the safety or peace of the country; it was indispensable the power should exist, but not without some means of ascertaining that it was only used from motives of public duty. "The most monstrous exaggerations of the conduct of the Home Secretary had been dealt in during the greater part of the preceding year; and he had had to bear much odium for acts which did not arise out of his own department, and for which he was not justly responsible. Had his conduct been different from that of former Secretaries of State? What did the Committee tell them? They said distinctly that they brought in as a jury their verdict, not guilty; and with respect to M. Mazzini's case, most certainly the burden ought to rest where the necessity for intervention, arose, namely, with Lord Aberdeen." Lord J. Manners could not vote for re-opening inquiry into the subject, disposed of by the Secret Committee, whose honour was unimpeachable, and whose judgment was conclusive.

* Hansard, Adjourned Debate on Mr Duncombe's motion for a Select Committee, 21st February, 1845.

But the case of the member for Finsbury's letters was a separate one, and might, he thought, be disposed of in a few words by the Home Secretary, "upon whom so many cruel and unjust imputations had been cast," if he thought fit to do so. Mr Charles Buller admitted that Ministers had clearly proved that they were not to be charged with the invention of a new power, and that they had acted according to the precedents of their predecessors. The only question before the House was, whether they had exercised that power in an honourable and discreet manner. He confessed that till yesterday he had felt very deeply and very painfully upon this subject. He had regarded some of the imputations upon the Government, with respect to the use made of the letters of unfortunate exiles in this country, and the consequences which were said to have resulted therefrom, with the same horror he would have felt if such an accusation had been made against his political friends. He was however happy to say, that the answer of the right hon. baronet opposite, relieved his mind of the most painful suspicion, as to particular persons. And he thought the matter might therefore be resolved into the one question as to the opening of the letters of the hon. member for Finsbury. There was no great use in any disguise on the part of the Home Secretary. Secrecy in fact was not in his power; if the Committee had chosen to give any information on the subject, they could 1845.

1845. have done so. But the right hon. baronet really had a morbid passion for unpopularity, which he took the most unjustifiable means of gratifying."

Lord Howick's motion.

It was clear that the feeling of the House was against the motion, and it was therefore withdrawn. Lord Howick thereupon tried to carry a resolution for the appointment of a Committee to inquire into the case of Mr Duncombe's letters only: but this likewise failed. Mr Disraeli, who seconded the motion, "understood that the Government had cleared itself to the satisfaction of the House entirely on the foreign part of the question. Such an exculpation indeed he thought unnecessary. Lord Aberdeen, accurate as he was in the discharge of his duties, was a man of generous impulses, and was much more likely to have erred on the side of leniency, than any other. But, even if the noble Lord had erred, who could have ventured to criticise his conduct with such a stake on the die? When that great master of analytical narrative, the Home Secretary, traced, the other night, the vast and precise consequences of the non-interception of a particular letter, all must have felt, he offered a complete vindication of his colleague. Of that right hon. gentleman, he knew nothing but honour, and he had experienced nothing but courtesy. He had, he repeated, no personal feeling against him. The right hon. baronet, he quite agreed, should not be made answerable for

doing as other Ministers had done before him, when placed in similar circumstances." 1845.

Mr Roebuck believed that "the country would not be content, until the invidious power intrusted to the Secretary of State respecting letters, was absolutely abolished.' But that it had been exercised by all his predecessors was certain, though the public had not been aware of it. He had very little doubt that his own letters were opened in 1838, under Lord Melbourne's Government, as Mr Duncombe's were said to have been in 1842. That was an excellent reason why Parliament should now put an end to the practice; but it was no reason why the Home Secretary should be made a scapegoat, or should be sacrificed to an unfair clamour."

Mr Strutt declared, that nothing could be more full, more open, or more voluntary, than the evidence tendered to the Committee by Sir J. Graham, and by the other members of the existing and of the former Government. If the Report was defective, it was not so from any want of evidence.

Lord J. Russell said, no doubt, when last year it was discovered that letters were from time to time opened at the Post Office, a great deal of public indignation was expressed; and an undue share of that indignation was directed against the Home Secretary. For his part, he could only say, with his hon. friend Mr Ward, that, as far as he could see, the

1845. conduct of the right hon. baronet had been exactly like that of his predecessors in the same office, and that the power had been used generally to defeat the aims of conspiracy, and preserve the peace of the country. Every member of the Cabinet was equally responsible with the Home Secretary. He doubted whether the power could be safely abolished; but further inquiry was necessary to disabuse the public mind of many unjust impressions. Upon a division the House decided by 240 to 145 against the motion.*

In reply to questions put by Lord Beaumont in the Peers, Lord Aberdeen entered at length into an explanation of his conduct respecting M. Mazzini's letters, and the use he had made of them.

Although the warrant to open these letters had not been issued by him, he would not deny that it had his sanction; and he would not attempt to throw off any share of the responsibility. Those letters were sent to him from the Home Office, to be dealt with by him at his discretion. He determined that no agent of any foreign Government should see a single syllable of them; or that he should know that any such letters existed, and, of course, the name of no one of the writers of them. He took care to keep in view the necessary regard to the personal safety of all those individuals who might in any way be compromised by the information those letters might contain. And, having acted with this care and caution, he felt himself entitled to state, as he had done

* Hansard, Debate, 21st February, 1845.

last year, that no syllable of these letters had been submitted to the inspection of any foreign Government. The Italian exiles in Corfu not being in the power of the Austrian Government, it had been insinuated that by some quibble or evasion, his statement did not apply to them. The shortest answer he could give to that insinuation was, that he never had the most distant conception of any attempt being about to be made from Corfu, upon any Italian state. They had been told of a preliminary plot, which had been put a stop to. He (Lord Aberdeen) knew of none. The desertion of the brothers Bandiera from Venice, was considered an event of great importance in Italy, as setting an example for other desertions from the Austrian Navy. But no attention was paid to the Austrian Government's remonstrance against their being received at Corfu or Malta. It was impossible he could have had any idea that an expedition was contemplated against any part of Italy from the Ionian Islands, for it was, he believed, planned and executed in a single week. The Governor (Lord Seaton) wrote that the brothers Bandiera arrived in Corfu on the 5th June; and on the 12th the expedition sailed. How, then, was it possible, that any information could have been given by him to frustrate their purpose? Lord Seaton not only had not been informed by him of any intended expedition, but when the expedition had actually departed from Corfu, Lord Seaton would not believe the fact. The refugees landed at Cortona on the 16th. Could it be supposed that if they had been excited to this step by emissaries of the Government they intended to subvert, means would not have been taken to provide against their reception? Would there not have been troops in the neighbourhood to apprehend them on their landing? But there were no troops in the district, and 1845.

1845. they advanced for three days without opposition. "On the 19th," wrote Mr Temple, our Minister at Naples, "they fell in with a few of the civic guard, and two or three of the gens d'armerie, with whom they exchanged shots, killing the leader of the guard, and wounding one of the gens d'armerie." The affair was subsequently put down by the inhabitants of the district, headed by the local judge, and assisted by a small body of police, but without the support of any troops: when these arrived the matter was all over. So dissatisfied was the Neapolitan Government at our conduct, that its Minister here was instructed to complain of the remissness shown in suffering the expedition to sail; and his remonstrance was in terms so strong, as almost to amount to an imputation of something more than mere remissness, on the part of those who might, he said, have prevented it. He concluded by a solemn declaration, that he was wholly, and in every respect, innocent of any participation whatever in the fate of these unhappy men.

Lord Beaumont declared himself perfectly satisfied with the explanation which had been given, and no further observation upon the subject was made.

28th Feb. A few days later Mr Duncombe renewed his attack in another form, moving that Colonel Maberley, Secretary of the General Post Office, should attend at the bar, and produce certain books connected with his office. Sir J. Graham resisted the motion on the grounds before relied on of uninterrupted precedent, on the Reports of the Committees, and on the necessities of the public welfare. He thus concluded,—

Reference has been made to my early acquaintance with the hon. member for Finsbury; and I am bound to state, that I have been on terms of great intimacy with that hon. gentleman. It was not an intimacy commencing with us; for I may say that it has been transmitted to us from our forefathers, for several generations. It is therefore with infinite pain, that I have ever found myself placed in collision with that hon. gentleman. He and I have certainly been on very friendly terms; we have passed many joyous days, and many convivial nights, together. But I may be permitted to say, that our intimacy was not the intimacy of political association. The hon. gentleman himself has referred to a fact which is quite notorious, that in the discharge of his political duties, he has formed an alliance with a large body of persons in this country, who advocate what is termed the "Charter;" he presented their petition; and his defence of the advocates of that measure, upon more than one occasion, is well known to the public. It would ill become me to express any opinion on what the hon. gentleman has conceived to be the line of his public duty. I am bound to say that no circumstance has in any way or at any time come to my knowledge, in the exercise of my official duties, with respect to the conduct of the hon. gentleman, which is in the least degree inconsistent with loyalty to her Majesty, or with his duty as a member of this House. I have already said that in the official exercise of a most painful duty, I cannot give what the hon. member (Mr C. Buller) has termed a plain answer to a civil question. I have said with truth, that if I were to answer one question of this nature put to me by an hon. member of this House, I must necessarily answer not only every other member who might put a similar question, 1845.

1845. but I should, in justice, be bound to give an answer to every similar question which might be put by the humblest individual in this country. It is for the House to determine whether or not they will maintain the existing law; but while the law continues, if the Secretary of State is to exercise for public objects, and public purposes, a power of this kind, it is plainly incompatible with the free exercise of that power, that interrogatories of this kind should be answered. If I could have acted on the impulse of private feeling, apart from a sense of public duty, I should certainly have spared the House these frequent discussions. But I could not have done so consistently with my sense of duty. I can, however, assure the hon. member for Finsbury, that there is nothing disrespectful to him in the part I have taken; on the contrary, I again repeat, that I do not entertain one particle of vindictive feeling towards him; for all my feelings are of a widely different character. I do remember our former intimacy; and I have a respect and a regard for the hon. gentleman, which nothing he may say or do in his moments of anger, can ever shake.

These expressions drew forth loud and continued cheers from all parts of the House.

Lord J. Russell considered the statement of Sir James Graham, exonerating the character of Mr Duncombe, as a subject and as a member of Parliament, highly satisfactory. It altered the position of the question in a considerable degree; and as he did not wish the inquiry to proceed further, he should vote against calling Colonel Maberley to the bar. A majority of the Liberal party tacitly con-

curred in this view, and the motion was rejected by 188 to 113. 1845.

For some weeks the subject was not again noticed in Parliament; but in the press its discussion was kept alive; and Mr Sheil was induced to give notice of a resolution which he moved on the 1st April, in a speech full of characteristic eloquence and power, expressive of "regret that with a view to the frustration of a political movement in Italy, letters addressed to a foreigner, which had no relation to the internal tranquillity of the United Kingdom, should have been opened under a warrant of the Secretary of State, and that the information obtained by such means, should have been communicated to a foreign power."

Sir J. Graham, in the course of his reply, stated for the first time, the circumstances under which the matter had originally been brought under his cognizance. In September, 1843, he happened to be the only Secretary of State in London, and he consequently had to perform the more pressing duties of his two noble colleagues. It was his duty to receive communications from Foreign Ministers; and, early in September, he was informed of movements of a formidable character which were taking place at Bologna. He received a despatch from Lord Holland, our Minister at Florence, giving information with respect to these disturbances, and representing them to be of a formidable and not of an isolated

1845. character, but connected with a general movement throughout several Italian states. Towards the end of September, the Austrian Minister waited on him, and represented to him that these commotions were exciting great apprehension on the part of his Government; and complained of certain publications of an inflammatory character in the press at Malta. Baron Nieumann endeavoured to persuade him, that it was the duty of the English Government, to take steps for the suppression of such publications. He replied that the press was free, and the Government had no power to prevent these publications. Baron Nieumann dwelt on the dangerous nature of the publications, inciting to insurrection; and at the close of the conversation put into his hand the *Giovin' Italia*, containing an eloquent and inflammatory article, by M. Mazzini, whom he pointed out as a principal in the affair, and whose aim, he said, was to encourage a simultaneous rising. Lord Aberdeen returned to London, and in January, 1844, informed him that Baron Nieumann's representations were correct. This was confirmed beyond doubt, by a communication which was received by the Government in February, the purport of which was, that Mazzini was in active correspondence with conspirators throughout Europe. After describing M. Mazzini as a gentleman, whose talents were undoubted, but whose efforts, in a cause he believed to be a patriotic one, had been unsuccessful, he pro-

ceeded to read a report in the *Moniteur*, which set forth, that at a secret tribunal of conspirators held at Marseilles, the President Mazzini decreed the death of two refugees, partisans of the Pope, and appointed three conspirators to carry it out, on pain of death. Upon this Mr Duncombe rose in great indignation, and read an article from the *Westminster Review*, clearing the character of his friend from this aspersion, and he reiterated the statements on the subject which had been already referred to. But few on either side of the House showed any desire to prolong the debate; and the smallness of the division bespoke how completely the interest recently displayed upon the subject, within the walls of Parliament, had evaporated. But thirty-eight were found willing to affirm Mr Sheil's proposition, and the Secretary of the Treasury did not think it necessary to detain more than fifty-two friends of the Government to secure its defeat. 1845.

Still less successful was an attempt made by Mr Wakley to revive the general discussion, which was disposed of in a thin House, by more than three to one. But on a subsequent day, in reply to a question from Mr Bouverie, the Home Secretary stated that, having at length received, in answer to inquiries he had made, authentic information from the judge, regarding the trial of Gavioli at Avignon, in 1833, he took the first opportunity to state that the judge and the public prosecutor expressly declared that

1845. at that trial no evidence whatever was adduced, which inculpated M. Mazzini in the matter. He was bound therefore to state the fact, that if he had been aware when he made the original statement of the trial of Gisquet, mentioned by the hon. member for Finsbury,—much more, if he had known at that time, what were the impressions of the judge and the public prosecutor,—so far from making the statement which he had made, he would most religiously have abstained from noticing the matter. The statement however had been made by him; and having gone forth to the public, it might have been injurious to the character of M. Mazzini. He now thought it due to that gentleman to make to him the only reparation in his power, namely, to take care that the retraction of the charge should be made, as publicly as the accusation had been.

Mr T. Duncombe thought the Home Secretary was right in not having apologized, until he was satisfied in his own mind that such apology was deserved. But the statement they had heard would be most satisfactory to M. Mazzini, and his countrymen, exiles in England. The public marked all these proceedings with interest, and waited from day to day to see the Parliamentary vows redeemed, that a new law should be introduced, and the oft-repudiated practice in future prohibited. But they waited in vain. The personal and party game had been played out, and the wishes of the community

were forgotten. On the 8th April, Mr Duncombe, 1845.
while intimating his desire to waive all personal questions, and disclaiming all party hostility in the matter, moved for leave to bring in a bill, "to secure the inviolability of letters passing through the Post Office." He was at war with the system. He would bury all personal feeling in oblivion.

The Home Secretary said he was almost seduced, by the manner in which the subject had now come to be dealt with, into departing from his previous reserve. It would be to him a source of infinite satisfaction if he could agree to the change in the law proposed. The power complained of could never cease to be viewed with odium and suspicion; and he frankly owned he thought it, generally speaking, of very little use. He would go further, and say, that if it were to be created for the first time, he doubted whether he would vote for it. But it was not quite the same thing to discard that which had hitherto existed. They were without an Alien Act, and he did not desire to see one renewed. If Parliament relieved the Executive from the invidious duty of using this unpopular power, on exceptional occasions, circumstances might arise which would lead to the reconsideration of that question, which involved a far greater limitation of national hospitality. When asked the other evening what was the responsibility of the Minister, he had said that it consisted in his liability to have his conduct

1845. made the subject of such discussions as they had lately had: and callous indeed must be the feelings of a Minister, who could regard lightly such responsibility. Lord J. Russell concurred with Ministers, in resisting the alteration suggested in the law; and an adverse division of 161 to 78 terminated the controversy.

From that day to the present little has been heard of the power of opening letters, by warrant of a Minister of the Crown. The law has been suffered to remain just where it was; and if there have been abuses in the established practice under it, they have not been inquired into. Of the agitation of 1844 and 1845 no visible result remains. It was a paroxysm of national anger, at the sudden discovery of a system in administrative operation, of which all but an official few had, till then, been practically ignorant, and which, though defended by great authorities and sanctioned by old usage and recent statute, the community at large felt to be repugnant to their best instincts and feelings. The whole fury of the storm in the first instance burst upon the head of one individual; and there were moments when it threatened his destruction. It has been the duty of his biographer to show how he bore himself in the time of trial; and to note, as the violence of the rage against him individually, changed into hostility to the system, how one after another of his adversaries sought to apply emollients to the wound inflicted upon his

character and reputation. But the inward bruise 1845.
was not to be healed by outward remedies like these. In a certain sense, the wound was incurable; and who shall tell of how many hours of unsuspected suffering it was the cause? With all his pluck and pride, he was femininely susceptible to opinion. He was too great an actor not to be able to laugh aloud, while he writhed with inward pain. Much of what was said against him never reached his ears. But he was fully sensible of the growing symptoms of party estrangement. He probably misapprehended in some respects its immediate cause, and morbidly attributed them to the universal tendency of the world to desert those who are out of popular favour. He repeatedly gave expression to his conviction, that he had been made a scape-goat; and that while others who had not laboured harder or more efficiently, in the framing and carrying of useful measures, would obtain their meed of fame, he should be remembered only in connection with this miserable affair of the Post Office. Can anybody doubt the cankering influence of impressions like these, upon a mind so constituted; or wonder that day by day it should have told more palpably on his outward bearing?

CHAPTER VII.

DISINTEGRATION OF CONSERVATISM.

1845.

1845. THE Session of 1845 was not wanting in varied and important ministerial measures. The first of these was one long contemplated by the Home Secretary, and prepared by him with elaborate care, for the territorial liberation of labour. The law of parochial settlement had become as oppressive, as its policy had become obsolete. Originally intended as a measure of police, it had practically come to be one of local taxation; and instead of a law to repress vagabondage and crime, it had in application been rendered a net-work for confining the handicraft, skill, and enterprise of every labouring man, to the place of his birth. The system of parochial relief where a man happened to have what was called a legal settlement, and nowhere else, had gradually come to be a sad mockery of mercy to the poor, and a source

of incalculable waste of means, in the worst of ways, to the possessors of rateable property.* The changes in the Administration of the Poor Law, which had been introduced under the Act of 1834, had afforded considerable relief to the latter; but, far from obviating the hardships of the former, arising from the law of settlement, they served rather to aggravate them. Sir James had been among the first to own, that Parliament was bound in the highest sense of moral obligation, to interpose for the rescue of the working man and his family, from the terrible conflict of local interests,—each striving to exonerate itself from the burthen of their support, and each tempted to effect such exoneration, regardless of the aggravated misery thus inflicted, and the incalculable amount of well-being, worth, and working power annihilated in the struggle. No matter how early a man might have migrated from some remote hamlet to a rising town,—no matter how diligently and thriftily he might have toiled there, in the workshop or the factory,—no matter how long he might have laboured successfully with his own hands, to maintain 1845.

* "Here we have a law (14 Car. II., c. 12) of undiscriminating severity to the whole body of working people; a law which alienates and opposes the interests of every district, making it the irreconcilable antagonist of every other; which enables each to harass the poor of the other, and to carry on a universal war of mutual encroachment, evasion, fraud, and litigation."—*Report on the Law of Settlement and Removal, by Mr George Coode*, 1850.

1845. himself and his children, or how much he might have thereby contributed in his humble sphere, to promote the prosperity of the place,—from the hour that he happened to be struck down by accident or sickness, he became an object of undisguised suspicion to the local authorities, the whole force of whose ingenuity and influence was thenceforth applied to getting rid of him, as though he were a leper, and driving him back to the idle hamlet where he had been born, but where he was no longer known, and where, if he should recover, he could find nothing to do. It was, in fact, a device for tethering the manual labour of the country, to 14,500 stakes, lest it should seek for itself, and enjoy where it could, the natural means of subsistence. A more cruel or unjust system under the name and form of law, never existed in a civilized state; and considering that nearly one-tenth of the whole community became, in one way or other, chargeable for relief in the course of the year, it will be admitted that a fitter subject for remedial legislation could not have been found. It was however, from its nature, a very thankless one, just of the sort which a selfish and short-sighted Minister would not take up. Those whom chiefly it would benefit, were not capable of making any political requital; and those with whose immediate interests it seemed to conflict, were amongst the most powerful and active sections of the electoral body. A mere party politician, scheming to disarm hostility, and to secure an

tician, scheming to disarm hostility, and to secure an easy time of it for himself and his colleagues, would naturally shun a discussion so fraught with real difficulty, and so full of grave embarrassment, as that of the Law of Removal. But it was one, to which the much-abused Secretary of the Home Department had devoted many a long day of investigation, and many a late night of solitary labour: and this man, whom the fribbles of the clubs and the suttlers of party denounced as a cold and heartless egotist, urged upon the Cabinet the duty of legislating boldly upon the subject, not because such legislation would or could make them popular, but because the thing to be done in itself was right. 1845.

Irremovability after five years' residence.

His speech, when introducing the bill limiting the time of removability to five years, opened by calling attention to the startling fact, that in the thirty years which had elapsed since the Peace, £200,000,000 sterling had been levied in parochial rates, and spent in the relief of the poor.

14th February.

The magnitude of the sum, and the multitude of the recipients among whom it was distributed, indicated the momentous importance of the question. What was the principle on which relief was given? It depended on the settlement of the individual, the first day he claimed relief, what should be the locality in which he should receive it: and if he happened not to be settled in the place where destitution overtook him, the next question was, should he be relieved, or should he be

1845. removed? What must be the effect upon the habits, the feelings, and all the associations of the individual, who applied for relief, when, in addition to sickness and poverty, these two questions arose—should he be relieved? and should he be permitted to receive relief, in the place where he had resided—the residence he had freely chosen,—*or* should he be removed from that place, with which his associations and habits were bound up, to some far distant locality, in which all those ties would cease to exist? The magnitude and difficulty of the question, made him diffident when proposing any legislative change. Yet, he was satisfied that important modifications of the existing law, with reference both to the interests and feelings of the poor, were indispensable. He had printed the bill in the previous Session, with a view to invite suggestions. From various, he might almost say innumerable, quarters he had received valuable communications; and it was his duty to lay before the House, the result of the best consideration he had been able to give to those comments and suggestions. In the bill, as originally framed, there were four subjects prominently treated. His desire had originally been that all heads of settlement, except that by birth, should forthwith, not only prospectively but retrospectively, be repealed; and he had desired that five years' continued residence in any locality should give to the party, not an absolute settlement, such as would convey the right to his descendants, but should confer the privilege of irremovability. Various objections had been taken to these propositions. It was urged that, looking to the fact that so large a number of persons as one-tenth of the population, were in receipt of parochial relief, a sudden and retroactive change, in the nature and ground of their settlement, coupled with the prospective alteration of five years'

industrial residence, conferring the right of irremovability, would bring about such a dislocation of the whole system of law bearing on the interests of the poor, as would, if brought into immediate operation, lead to consequences which must be deplored. It would produce litigation in innumerable instances; and upon the whole, it would cause too great a shock to the established system. In cases where the property was in the hands of one or of a small number of individuals, such a change would be a strong inducement to pull down cottages; and, to use a terrible word, better understood in the sister country, to *clear* estates. This would have the effect of driving the rural population from their peaceful hamlets, their small gardens, and little possessions, into the towns and more congregated centres of the labouring community. Settlement by birth only would cause the erection of cottages in adjoining towns; and one parish would be relieved at the expense of another; the same objection applied to the irremovability of residents, namely, that they would be removed before the five years had expired. It would drive the poor into the towns, where rent was high, and often add a long day's walk to their work. He would not therefore propose that a retroactive effect should be given to birth settlement; but he proposed that settlement by birth should be recognized prospectively. Although the interests of town and country were in the aggregate identical, yet it ought to be remembered that the interests of town and country districts, with reference to rates, did not always run in the same direction. It was quite clear that birth-settlement was in favour of the towns, at the expense of the rural district. The towns were the great marts of industry, the great centres of capital, and they attracted labour from the rural districts. Thus the town 1845.

1845. population occasionally became redundant, on account of the supply of labour from those districts. On the other hand, irremovability, after five years' residence, would be a measure favourable to the rural districts, but would not confer benefit on the towns. Persons were attracted to the towns by the greater demand for labour; thus it was clear, that conferring without limitation a settlement by five years' industrial residence, would cause a great burden to the towns, and confer great advantages on the rural districts. But he was bound to hold the balance evenly. He was bound not to impose upon the towns an extra burden of irremovability, unless countervailed by the limitation of settlement, to that in right of birth. He would not therefore insist on birth-settlement being obtained retrospectively, or upon the unqualified proposition that five years' industrial residence should confer the advantage of irremovability. But great advantages might be conferred, by the limitations bearing on removability on the poorer classes. His object was to impose restrictions upon removal. He proposed that parties should not be removable in these cases:—first, in that of a man who had ordinarily resided, and worked in or near the parish for five years, and who had not been convicted of felony or misdemeanour. This provision would be applicable to natives of Scotland and Ireland, as well as to the people of this country. He proposed that no woman, residing with her husband at the time of his death in the parish of his settlement, should be removable to her own parish, after his death; secondly, that no widow, whether living in her husband's parish or elsewhere, should be removable for twelve months after his death; thirdly, that no child under sixteen years of age, should be removable from its father; fourthly, that no child

under sixteen years of age, should be removable from its mother; and fifthly, that no one becoming chargeable by sickness or accident, should be placed under order of removal till he or she had received relief for forty days consecutively. Adam Smith doubted, with much reason, whether any poor man ever reached the age of forty without experiencing hardships and injustice from the Law of Settlement. He thought it monstrous for a poor man to be confined as to his residence, his labour, or his right, within the narrow limits of a parish or a township. Upon this principle he wished to found the new and important provision of Union Settlement. There were in England and Wales, 14,500 parishes and townships. It required no argument to show how narrow were the limits, which such a minute sub-division necessarily created; and within those limits, the existing Poor Law practically restrained the labour of the poor man. It would be an immense advantage to the working man, and no disadvantage to the wealthy, at once to abolish that restriction. By reducing the number of places, within which settlements might be acquired, he expected to be able to give a more free circulation to labour. He did not propose that the whole of England should be rated in a mass; on the contrary, he thought that a national poor-rate would be most objectionable. But no valid objection could be urged against substituting 620 divisions for 14,500. There were in England 620 unions: if he could reduce the number of districts conferring the right of settlement from 14,500 to 620, he should consider himself as having conferred a great benefit upon the rate-payers, and upon those who might become the recipients of rates. From the time the Act of Elizabeth was passed down to the reign of Charles II., the law of Parochial Settlement was unknown.

1845.

Proposal of Union Settlement.

1845. From 1662 to 1834, the burden of poor-rates had been continually growing heavier, and the evils of the system more grievous. In the general amendment of the Poor Laws which then took place he had concurred; but he was one of those, who had always been anxious to see the principle of union settlement recognized and established, under that Act. The 33rd section of the Act of 1834 gave guardians the option of considering a union of parishes as one parish, for the purposes of settlement, but it was necessary that in all cases the consent of all the guardians should be previously obtained: the clause was therefore rendered nugatory. If the principle was a good one, it should be adopted universally and simultaneously. He was quite aware that the House could not by a single measure remedy all the evils, or even the anomalies, of the Poor Law; but he knew not of any single proposition, calculated to produce so many and such great advantages, as that which he had the honour to submit; for he knew of none by which unjust restrictions could be more effectually removed, none by which labour could be made more beneficially to circulate.

The great change thus initiated, was not effected without much discussion; and the pressure of other business led to the postponement of its adoption in form of law until the following year. He was unable to carry the clause regarding Union Settlement; and it is obvious that he considered irremovability after five years as only a step in the right direction; but it was a great one, and one which he always regarded with just pride and satisfaction.

1845. Sir R. Peel's Second Tariff.

The revenue arising from the ordinary sources of taxation, had completely recovered, and was still rising. Even with an augmented outlay on the navy, it nearly met the whole of the expenditure: and the £5,000,000 receivable from Income Tax might be said to form the disposable surplus. What was to be done with it? The original purpose of imposing the tax had been attained, and the original need satisfied. If Sir R. Peel were indeed the "Farmer's Friend," as he was said to be in 1841, it would be suffered to expire; or if not, its produce would be applied, the landed interest hoped, in specific measures of relief to them: for three successive harvests had been good, and wheat was selling at 45*s.* a quarter. But the Premier's views had undergone serious modification, during the past three years, on questions of taxation and trade,—and, as it soon appeared, on other subjects likewise. In his mind,* and in that of other members of the Cabinet, the desire had gradually shown itself more and more of adopting as permanent principles of policy, what had been in 1842 but tentatively tried. The result of the trial had been marvellously successful, and this was assigned as the justification for repeating the experiment of fiscal reform. Without such experience, no doubt, a second great change would not and could not have been attempted; but it were vain to

* See observations of Sir S. Northcote, Twenty Years of Financial Policy, p. 70.

1845. deny that the person, whose antecedent opinions palpably beckoned that way, and whose active and versatile powers of personal influence were exercised constantly in that direction, was the Home Secretary. Those who did not actually know, suspected such to be the fact; and those whose means of observation enabled them best to judge, recognized most clearly the growing influence he seemed to gain, especially over the counsels of the Premier. As was wittily said, by one who understood well the character of the man and his associates in the Conservative Cabinet,—"The old leaven of Holland House was working, and would work till it had wrought a thorough fermentation."

Renewal of the Income Tax.

17th Feb. Sir R. Peel asked for a renewal of the Income Tax for three years more, in order that he might with safety make another sweeping reform in the Tariff. Out of 813 articles he would strike 430 altogether from the list of customs duties, including many raw materials of manufacture; he would reduce the charge on colonial sugar, to an extent which involved the sacrifice of £1,300,000; and he would abolish the auction duty, and the excise on glass. The immediate loss to the revenue would be £3,338,000; but he was confident that by "lightening the springs of industry," the deficiency would certainly and speedily be made up, by the creation of new wealth, the employment of more labour, and the consequently augmented consumption of the

comforts and luxuries of life. The commercial community of all classes received the scheme with acclamation; the agricultural interest with disappointment and chagrin. Mr Disraeli gave utterance to their feelings in the memorable speech, in which he declared the policy of Protection to be "in the same position, as Protestant ascendancy in 1828;" that he believed the party who had placed Sir R. Peel in power were betrayed; and that "a Conservative Government was an organized hypocrisy." But a numerous section still put faith in the Minister; and the second tariff was carried by large majorities. 1845.

Towards the close of the preceding Session, Sir R. Peel had intimated that Government was about to take into consideration the existing Acts regarding the College of Maynooth, with a view to the improvement of that institution. The terms of the announcement, though general and vague, sufficed to arouse religious susceptibilities throughout the country. Conferences were held, and preparations made by the zealous leaders of different denominations, to resist the threatened extension of Roman Catholic endowment; and by the time Parliament reassembled, the preliminaries of a wide-spread opposition had been agreed on. Communications, confidential for the time, but not intended to be long kept secret, had taken place with the Roman Catholic prelates. Through the intervention of the late Mr A. R. Blake, who for Maynooth question.

1845. many years filled the office of Chief Remembrancer of the Court of Exchequer, and who was one of the leading Commissioners of national education in Ireland, the Home Secretary explained to Archbishop Murray and his episcopal brethren, the intentions of the Government with respect to collegiate education, and invited suggestions thereon. He admitted that neither as regarded the laity nor the priesthood, did the existing system make adequate provision. The establishment at Maynooth had been originally intended for both, but had long since proved very insufficient to supply the intellectual wants of either. A considerable proportion of the young men intended for the priesthood, were actually indebted for their clerical instruction to the munificence of the French Government, by whom the Irish college was maintained at Paris. The edifice at Maynooth remained, after 50 years, unfinished for lack of funds; and part of it was actually falling into ruin. The library was miserably limited; the professors poorly paid; the accommodation provided for them was such as to render them necessarily desirous of passing as quickly as possible into the more active duties of parochial life; and the condition of the students was one of actual privation. Ministers desired to put an end to this state of things, and to place Maynooth upon a footing of something like equality with the other Collegiate institutions of the empire. They disclaimed

all wish to interfere with the teaching or discipline of the college; and intimated that it was part of their plan, to place the augmented grant upon the consolidated fund, as the best means of insuring its permanency. They contemplated providing for the increasing wants of the laity in a separate measure, respecting which they likewise sought to know the wishes and opinions of the heads of the Roman Catholic Church. After due consultation with Primate Crolly and other members of the hierarchy, Dr Murray replied in becoming language to the communications of Sir J. Graham; and as regarded the College of Maynooth, it may be said that his views and that of his brethren were substantially realized by the ministerial bill. In reply to early and pressing questions, Sir R. Peel stated his resolution to introduce the measure before Easter, and before the day arrived the table of the House was covered with petitions, deprecating the change of policy it was on all hands felt to imply. 1845.

Scheme of further endowment.

Ministers were well aware, that the course they had resolved to take, would be repugnant to the feelings of a large section of their party in Parliament, and to a majority of their supporters out of doors. "Nothing short of an overpowering sense of duty," said Sir R. Peel, "could have led them to make so great a sacrifice." They had, indeed, everything to lose, and nothing to gain by it, as an Administration. They well knew that the Whigs

1845. would support them, only until they had lost the confidence of the Evangelical party in the Church; and would try to outbid them the day after, for the good-will of the Catholics. Fifteen years had not effaced from the memory of the Premier the recollections of the Relief Bill; yet he was prepared a second time to disenchant and disappoint the great body of his followers, and once more to incur the risk of the absolute disintegration of his party, in obedience to his conviction of what was necessary to preserve the peace of the realm: and in this conviction, and in the resolution to which it led, none sympathized with him more deeply, or sustained him more resolutely, than Sir James Graham. The Maynooth Bill was indeed originally drafted by him, and all its details were discussed, modified, and eventually settled under his direction. It increased the salary of the President, doubled those of the professors, and made provision for sixty additional students, making the number 500, the grant for each of whom was to be augmented. Instead of £9000 a year, it was proposed to grant in future, somewhat less than £27,000, as necessary for the contemplated improvements. An extra grant for £30,000 would be required to put the collegiate edifice into a condition more suitable for its purpose. On its introduction Sir Robert Inglis, Mr Plumptre, Mr Grogan, and Mr T. Duncombe objected to the Bill, on various grounds; Lord F. Egerton, Mr H. G. Ward, Lord

Sandon, Lord J. Russell, and Mr Sheil supported it. On a division there appeared for the first reading 216, against it, 114. So large a majority emboldened Ministers to press its further progress without delay; and the 11th April was accordingly named for the second reading. 1845.

The shortness of the interval served rather to exasperate, than dishearten resistance. From all quarters, angry denunciations of the Government began to be heard. Dissenting congregations petitioned against so important a step, in the further endowment of religion by the State; and radical constituencies bade their members vote against the proposed addition to the national expenditure. Exeter Hall resounded with warnings against complicity with Popery; and half the Low Church pulpits of the kingdom gave expression to grief and disappointment, at the backsliding of those men whom their occupants had potentially contributed to raise to power. Utterance was given to this sense of bitter disappointment, by Mr F. Shaw and Mr G. A. Hamilton, in the name of the established clergy of Ireland; by Mr Colquhoun and Mr C. Bruce on behalf of the Presbyterians of Scotland; and by Lord Ashley and Mr Spooner, in the name of the Evangelical body of the Church of England. Lord John Manners, Mr Stafford O'Brien, Mr Pakington, Lord Castlereagh, Sir J. Hanmer, and other Conservatives took the opposite side. Equally remarkable was the Religious excitement.

1845. disunion created amongst the Opposition,—Mr Fox Maule and Mr Bright denouncing the measure, while Sir G. Grey and Mr Cobden defended it. The unreserve with which Mr Cobden threw the whole weight of his personal popularity, then at its height, into the scale of what he deemed just, was highly characteristic. "They had been voting £9000 to this college for half a century. Nobody even seriously contemplated the withdrawal of the grant. Were Ministers turned out on the question, the first thing their successors, no matter who they might be, would have to do, would be to move a vote in supply to that amount. How then could this be called a question of principle, for the sake of which the country had been stirred from one end to the other? It was simply a question of £17,000; and foreigners who had heard their proceedings, would say that such pettifogging and paltry persecution had never been heard of anywhere else in the world." Not less courageous and unqualified was the language of Mr Roebuck, whose seat for Bath was, as he well knew, likely to be forfeited by his vote in favour of the Bill. It has long been usual with some persons to pretend that men identified with popular interests, and dependent for their position in Parliament on the popular breath, are incapable of the self-sacrifice not unfrequently involved in resistance to the feeling of the day. But examples like the foregoing might be multiplied, to prove how untrue is the injurious imput-

Speech of Mr Cobden.

ation. The case of Mr Macaulay, much noted at the time, can hardly be classed with these. As an ex-Cabinet Minister, he might count with certainty on obtaining another seat if he lost that for Edinburgh: he could therefore afford with impunity to defy his constituents, and to plume himself on doing so. For the rest, his speeches on the question were conceived in a spirit only of insult and invective against those, who had deprived him and his friends of office in 1841, because they had proposed a measure he could not gainsay in 1845. "Show us, if you are honest now, how you could have been honest then. Explain to us why, after having, when out of place, goaded Ireland into madness in order to ingratiate yourselves with England, you are now throwing England into a flame, in order to ingratiate yourselves with Ireland. Let us hear some argument, that, as Ministers, you are entitled to support, which shall not equally show that you were not the most factious and unprincipled Opposition this country ever saw." Not less scathing were the taunts of Mr Disraeli on the score of inconsistency. Mr Gladstone had resigned the Vice-Presidency of the Board of Trade. With his foot on the threshold of the Cabinet, he had preferred quitting office, to incurring the suspicion that he had been swayed by unworthy motives, in the course he felt bound to take. That course, he avowed, was for him encompassed with difficulties, each one of which he wished to be able freely to examine and

1845.

Invective of Mr Macaulay.

1845. weigh, before forming his final judgment: and now from his seat below the gangway, he thought aloud, and gave utterance to all the balancing considerations which had filled his mind on the question, discarding more than one shabby excuse and flimsy plea, and founding his ultimate decision upon "the conviction, that having regard to the various grants made by the State to the teachers of other forms of religion, it was impossible to find in the public sentiment of the country, or in the opinions avowed by the opponents of the bill, or in the actual practice of the constitution, a principle which he could rea-
17th April. sonably make available to justify its rejection." On the fifth night of the debate, the Home Secretary addressed the House, recapitulating many of the arguments previously urged by others, and answering pointedly, yet without heat, the reproaches levelled against his colleagues and himself, by the disaffected portion of their party.

Statement of the Home Secretary.

If any one who heard him, believed that the days of Protestant ascendancy in the old sense could be maintained, he would tell him that those days were passed; and he for one would not be responsible for any attempt to govern Ireland upon that principle. Uniformly, whether in Opposition or in Government, he had endeavoured to act steadily upon the same principle, the principle of the Temporalities Act, of the National Board Education, and of the great measure of the Tithe Commutation Act. He had never expressed any opinion individually, against the endowment of the Roman

Catholic clergy of Ireland. The point was raised repeatedly. 1845.
It was raised some time ago in a discussion in which the hon. member (Mr More O'Ferrall) took part, and stated that the Catholic clergy would not accept endowment. He stated then his firm belief, that whatever might have been the circumstances of a former period, those circumstances no longer existed; and that there was not willingness on the part of the Irish clergy to accept, nor was there willingness on the part of the British public to provide, an endowment. But he stated that with respect to his own private feelings and judgment, he had no religious scruples whatever, which would prevent him from advocating that measure. The difference between him and the hon. gentlemen opposite always had been, that if such an arrangement were feasible, the difference between him and them had always been, with respect to the propriety of drawing that endowment from the property of the Protestant Church as established by law. He certainly, upon that occasion, did make use of the expression, "that conciliation had been pushed to its utmost limit." He did not think it altogether fair to fasten on a particular expression, used in the heat of debate, especially when that expression was explained within a fortnight of the time it was used. He would say more: he admitted the expression, and he avowed his regret at having used it. Nay, still further he would say, that where the feelings and the interests of a nation were concerned, expressions of inadvertency on the part of a Minister, were serious offences. He therefore made this reparation freely; he was sorry for the use of that phrase; it had given offence in Ireland, he deeply regretted it; and he could only say, conscientiously and from the bottom of his heart, that his actions towards

His actions towards Ireland better than his words.

1845. Ireland had been better than his words. He was bound to say that, towards the close of the last year, a suggestion was thrown out by the noble Lord (Palmerston), that there was a measure unobjectionable in principle, and feasible with a slight alteration of the existing law, which, by the willing consent and co-operation of wealthy landlords, might progressively and gradually lead to endowment. Ministers directed their attention to that subject, and introduced the Bequest Act, whose success exceeded their expectations; and which satisfied them that it was the commencement of a course which, if followed up, might be productive of the happiest effects. The Roman Catholic hierarchy in Ireland was divided in opinion with respect to the Bequest Act. The whole of the Roman Catholic Archbishops and Bishops in Ireland had signed a memorial for an increase of the grant to Maynooth. The question presented itself to them thus, here was an opportunity of meeting the wishes of the Roman Catholic clergy, if they avail themselves of it. If there were nothing wrong in principle, nothing inconsistent with their duty to their Protestant sovereign, and to the maintenance of the Protestant Church in Ireland, they might gratify the wishes of this powerful body. Endowment was out of the question; direct endowment the Roman Catholic clergy said they would not accept; Ministers were not prepared to offer it; but here was a particular grant which the Roman Catholic hierarchy said—if you will tender it, we will accept. Her Majesty's advisers saw no objection in principle: they knew that it would be acceptable and equitable. They contended that in principle it was not only equitable but expedient; and hence the origin of the measure which they were then discussing. In 1795, when Maynooth was first founded, the

religious question did arise,—Should a Protestant State estab- 1845.
lish and endow a seminary for the exclusive teaching of the Roman Catholic priesthood, foregoing all interference in the quality of the education? He conceived that to have been a grave and serious question. It was so considered at the time. Lord Camden went to Ireland to supersede Lord Fitz-William; and although he was not authorized to go the length which Lord Fitz-William had gone, of promising civil equality to the Roman Catholics of that country, yet he was distinctly instructed to propose further indulgences to her Majesty's Roman Catholic subjects in that country; and within ten days of his arrival, his first measure, after consulting Lord Chancellor Clare, Agar, Archbishop of Cashel, Mr Foster, then Speaker, and Sir J. Parnell, then Chancellor of the Exchequer, was to send to the Home Government the draft of the Act of 1795, which provided endowment from the public revenue for the College of Maynooth. The Home Government deliberated upon the proposition. His right hon. friend stated that the Home Secretary, at that time the Duke of Portland, was also Chancellor of the University of Oxford; and it had been ascertained by him from records in the Home Office, that before the measure of 1795 was adopted, the Government draft of the Bill was submitted to the Archbishop of Canterbury by the Duke of Portland. Mr Pitt was then at the head of the Administration, and George III. was King. There were 7,000,000 Roman Catholics in Ireland. The policy of England towards that country had, at different times, been cruel in the extreme. Cromwell tried to extirpate the Roman Catholic population of Ireland. It was he who introduced the system of pains and penalties, and privations, which were intended to drive the people from their faith; but that system was found,

1845. unsuccessful after it had been tried for centuries, and one-fourth of the Queen's subjects in the United Kingdom had remained faithful to the Roman Catholic religion. They had not been able to extirpate them; they had failed to convert them; and would they now refuse to grant £27,000 a year, for the purpose of providing the means of giving a better education to those, who must and would be the spiritual fathers and guides of the people? Under such circumstances, would it be policy to refuse this grant? Could they refuse it on principle? No; for the principle was settled 50 years ago, and the grant that was then conceded had been found insufficient, and degrading alike to those who received and to those who gave. The additional sum now proposed was insignificant for Parliament to give; but to those who were to receive it, it was all important. The wretched state of the College had been shown. He would therefore say no more than that they kept the professors and the students like beggars; and then they blamed them because they were not gentlemen. They were generally the sons of shopkeepers, and persons in that station of life; they sympathized with the people, they are trusted by the people, they officiate for the people, and they were believed in by the people. He put it to hon. members, confident as they were in the truth of their own religion, whether if they, as Protestant landlords, had a Roman Catholic tenantry residing on their estates, they would prefer to see that tenantry instructed in their religious and moral duties by an ignorant and a badly-educated priesthood, or by a clergy accomplished in the arts and sciences, and imbued with the tastes and refinements of literature. He had the strongest conviction that, if they consented to pass this measure, and if they continued to deal in a confiding spirit with the Irish people, it would

prove a bond of union, a harbinger of peace, and a presage of happier days. If they thought it would tend to the overthrow of the Established Church, then let them reject the measure; but let them take care, while they did so, lest they inflamed the disaffection already existing, and stimulated the desire for the repeal of the Union, which had spread already to an alarming extent. 1845.

Lord J. Russell agreed with Mr Gladstone that this measure decided, as far as the religious question was concerned, the larger, but more difficult, one of endowing the Catholic clergy. But in the mean time, this was a step towards equalizing the religious condition of the Irish people. While the spiritual wants of the wealthy minority were amply provided for, those of the impoverished majority were still uncared for by the State. The Dissenters of England objected to the Bill on the theoretic ground of the voluntary principle. This sounded very liberal, and seemed to be just, but it was, in fact, to assert a principle, of which no practical use could be made. Parliament, as they all knew, would not listen to the adoption of the voluntary principle, even in Ireland; and if it one day refused to reduce the wealth of the Establishment, and on another to apply any portion of the funds of the State to Catholic purposes, what must be the inevitable effect upon the minds of the people of Ireland? "What must be their feelings, if parties in the Legislature thus bandied about one proposal after another on 18th April.

1845. this subject, without ever coming to any practical conclusion? It would be a mere delusion and fraud upon the people of Ireland, to say they could not give this endowment, and profess that they were quite ready to abolish all state churches. Parliament engaged at the Union to govern Ireland in a spirit of equality with England. This was wholly inconsistent with saying that the religion of England was so exclusively true that her people could not bear that of the people of Ireland."

Sir R. Peel declined to notice the personal imputations cast upon him. He was not surprised, and he could not be moved by them. "Let hostile parties unite, if they would, to drive him from power; but let them first pass the Bill. He did not rest its defence on any ground of compact; he defended it because it was wise and just. They were responsible for the peace of Ireland, and in one way or other they must endeavour to break up the formidable confederacy which existed there, against British connection; they could not break it up by force, but they might do much by concession, consistently with the maintenance of the Protestant Church. When he gave notice of the measure last Session, he did so without reference to future events. But on the following day his attention was called to a matter of great importance. On the far horizon of the West there had risen a cloud—small indeed, but threatening future storms. It became his duty, on the part of

the Government, temperately but distinctly to state, 1845.
that while they were most anxious for an adjustment of the impending differences with America, if British rights were invaded, they were determined and prepared to maintain them. When called upon to make that declaration, he recollected with satisfaction and consolation, that the day before he had sent a message of peace to Ireland." The second reading was carried by 323, against 176, of whom twenty-one were Liberals. With the exception of Lord Ashley, Mr Fox Maule, and Mr G. Bankes, no one who had held political office voted in the minority. Sir R. Peel forthwith proposed to go into committee that day week. Objection was made by Sir R. Inglis and Mr Plumptre, but the House, weary of the discussion, only desired to see it brought to a close, and the proposition was agreed to. The success of the measure being thus assured, Mr H. G. Ward, on going into committee, proposed an amendment that the £26,300 a year should be paid out of the revenues of the Established Church. This was a renewal of the Appropriation Clause, in a shape more tangible than it had ever yet assumed; and it was supported by many of its former advocates.

Message of peace to Ireland.

Sir T. Freemantle, as Secretary for Ireland, Sir 23rd April.
W. James, and Sir J. Walsh opposed, and Mr M. Gibson and Mr Macaulay advocated the amendment. The latter admitted that the project was but a small instalment of restitution; but it resembled

1845. Debate on Mr Ward's amendment.

a trial of ejectment for one farm, which involved the title of the whole estate. The Church of Ireland was a bad institution, "for it did not answer the professed purpose of its existence. Speaking deliberately and without rhetorical exaggeration, his opinion was, that of all the institutions then existing in the civilized world, the Established Church of Ireland was the most absurd. What foreign writer on British affairs ever mentions it, without expressing his amazement that such an institution should be suffered to exist among civilized men? The world was full of Ecclesiastical establishments. But such a portent as this Church of Ireland was nowhere to be found.* He gave his vote from his heart and soul for the amendment, for the concession proposed was an act of justice which ought to have been done long ago."

Sir J. Graham denied that the measure had been extorted by agitation. "The monster meetings had been put down, and the persons conducting them subjected to the ordinary process of the law. Although the conviction was set aside, the moral effect of the legal proceedings was not lost, for the meetings had not been repeated. The statement of Sir R. Peel, expressing his satisfaction at having sent a message of peace to Ireland, had been misunderstood,

* Yet in the following year Mr Macaulay formed one of an Administration, whose first pledge was not to meet the question of the Irish Church.

and false constructions put on the conduct of Government. But was this measure of conciliation and of peace to be now blasted, by a new outbreak of party feeling? Mr Ward said that the Church was in Ireland an obtrusive Church, a badge of conquest on the one hand and of slavery on the other; and the member for Edinburgh said that the question was not whether they would take from that Church £26,000 a year, but whether the Protestant Church was a nuisance which ought to be abated. He (Sir James) would say that no consideration of policy or argument could induce him to admit for one moment, that the Irish Church was an evil in itself, that it ought to be abated as a nuisance, or put an end to as a wrong. On the contrary, he was bound to confess, that after all the anxious deliberation he had bestowed upon the subject, whatever might be the taunts as to inferiority of intellect and as to religious bigotry to which that confession might expose him, he was confirmed in the opinion that it was their duty to maintain the Establishment in Ireland. He contended that nothing could render an arrangement so impracticable, as the proposal that whatever was given to the Catholics, should be taken from the Protestants. In 1834 appropriation was but an abstract resolution. Mr Ward did not then venture to connect it with any practical measure. It was then but a theory to be developed at some future time in substantive detail. This amendment went 1845.

1845. to realize for the first time the abstract principle; and as such he was confident that the House would reject it. In 1834, he thought he foresaw that this ultimately must be the consequence, to which they would at length arrive; and therefore it was that from the outset he had resisted it. But he conceived, as in the Tithe question, that this measure was one for the better assurance of the Protestant Church. He adhered confidently and sincerely to the opinions he had heretofore expressed; but he wished to promote the most indulgent consideration for the wants of their Roman Catholic fellow-subjects. He was most anxious that their spiritual wants should be supplied, and that their priests should be educated, so as to be properly qualified for their office. But for this it was not necessary to take the course proposed by the hon. member for Sheffield, which he must unreservedly oppose.*

Maynooth an assurance for the Church.

24th April. Lord Palmerston thought no one acquainted with the present condition of the Irish Church could for a moment doubt, that after every provision which could be required for the proper discharge of the duties of that Establishment had been made, ample funds might be found for the endowment of Maynooth. Sir R. Peel repeated that the purpose of the Bill was not to despoil the Protestant Establishment, but to supply a new guarantee for its maintenance

* Hansard, April 23rd, 1845.

and safety. His Cabinet would never have sanctioned the measure, if framed upon the principle involved in the amendment; and nothing would induce them to accept it. On a division the amendment was negatived by a majority of 174, the whole of the Conservatives on this occasion voting together. On the third reading the controversy was renewed, but with flagging spirit, by the opponents of the Bill, and many manifestations of listlessness on the part of its defenders. Mr Ewart could not bring himself to disturb the "drowsy tranquillity" of the House, by dividing on an amendment of which he had given notice in favour of voluntaryism; and Sir R. Inglis strove rather to draw forth a declaration from the Premier, that this was to be a final measure of concession, than further to adduce new arguments against it. Lord Harry Vane was glad that no pledge of the kind had been given, and commended the Home Secretary, for the courage and candour of his announcement of an altered policy towards Ireland. For his part, he had never ceased to regret the mistake which had been made, when 25 per cent. of the tithes were given away, without any real consideration, to the landlords of Ireland. A much better use, he thought, might have been made of that reduction from the incomes of the clergy. National irritation they could never hope to allay, while the clergy and three-fourths of the people were excluded from all share in the national endowment. Many of his con-

1845.

Speech of Lord H. Vane.

1845. stituents had expressed to him their regret at his votes on former stages of the Bill; but much as he honoured the sincerity of their convictions, he could not bring himself to doubt that it was wise and expedient: and he thought it wise and expedient, not because it would appease agitation or prove a final measure, but because it was intrinsically just.

2nd June. The Duke of Wellington moved the second reading of the Bill in the Lords, and urged as the chief recommendation of the measure, that it would secure the education of the Catholic priesthood at home, instead of compelling them to seek the advantages of collegiate instruction abroad. This, he maintained, had been the original object of the grant; and this, under the altered circumstances of the country and population, was, in his judgment, the best reason for its increase. It was opposed by the Duke of Manchester, the Bishops of London and Exeter, and Lords Roden, Winchelsea, and Colchester; it was supported by the Dukes of Cambridge and Cleveland, Lords St Germains, Beaumont, Hardwick, Caernarvon, Brougham, Monteagle, Spencer, and the Bishops of Norwich and St David's. Lord Stanley closed the debate, declaring that the rejection of the measure would fill his mind with inexpressible alarm and dismay. If he thought it would have the effect of injuring the Protestant Church, he should be the very first to denounce it; but he was persuaded it would have no such tendency. He did not see that

The Duke's reasons for the Bill.

the endowment of the Roman Catholic priesthood necessarily followed from the endowment of Maynooth. Undoubtedly there were difficulties in the way of the former endowment; but he candidly avowed that they were not with him of a religious character. There might be some who indulged in the dream, that at some future period the whole population of Ireland would be brought within the pale of the Protestant Church; but when he looked back to his own experience, and when he looked forward to future possibilities, he was obliged to regard that vision as altogether Utopian. The object of the Bill was not to make more Catholics, but to make better Catholics in Ireland. On a division there appeared for the second reading 155, against it 59. 1845.

Collegiate education for the laity.

While means were thus sought for the education of the Catholic clergy, a measure had been prepared to meet the like wants of the laity. The University of Dublin was a Protestant institution; and Trinity College, which still remained the only one affiliated thereto, was specifically devoted to the instruction of the youth of the Anglican Church, and especially to the training of those who were intended for its ministry. Beside the early gifts of the Crown and the liberal donations of the Irish Parliament, many private benefactions had enriched the college; and few asked that its endowments should be diverted to purposes incompatible with those for which they had

1845. been primarily given. If a distinctive school of Anglican theology was to be maintained, it was manifest that the governing body of Trinity College must belong to that communion. Catholics and Presbyterians were admitted as students, and allowed to compete for its honorary distinctions in science and arts; but its more valuable prizes were reserved for those who conformed to the established creed. The inequality of religious communions in this respect, had long been complained of as a grievance. Mr Wyse and others had often urged that the original design of a national university should be completed, by the creation of other colleges connected therewith, to which persons of the great majority of the nation might resort, without a sense of inferiority on account of their belief, and where equal incentives to learning might be held out to them. They insisted on the advantages that would accrue, from an honourable competition between the students of different colleges for the distinctions of the university, which ought to be made common to all. They asked for intellectual equality among the youth of various creeds; and argued that religious freedom was incomplete, while such equality was denied. The question had never occupied indeed a prominent place in Irish politics. The Presbyterians of Ulster seemed to care for it but little, and to be content with the provincial substitute established by themselves, but assisted by a yearly grant from Parliament,

and which, under the name of the Belfast Institution, afforded many of the advantages of collegiate education. The Catholics were worse off in every respect; the colleges they had endeavoured to establish in various provincial towns being little more than good grammar schools, and having no assistance afforded them by the State. The sons of the Catholic gentry and professional classes were, for the most part, sent abroad for education, or to the seminaries at Oscott and Stoneyhurst. Some few were entered at Cambridge and Dublin; but the invidious position they were placed in there, tended year by year to diminish the number: and practically the sense of inferiority and exclusion grew daily more hard to bear in this respect, because in others, the promise of civil equality was gradually coming to be realized. 1845.

The Premier and the Home Secretary had long been agreed in desiring to remove this grievance. Their views were in the main identical; and they concurred in thinking that the best and wisest thing to be done, would be to complete the long-deferred design of Archbishop Loftus, who would have had Elizabeth found several colleges in connection with the University of Dublin. But in the alienated condition of the Catholic population of Ireland, they feared to take any step that might estrange the Protestant minority, on whom alone they seemed to be warranted in relying for support in the maintenance of the Union. The preservation of the empire was

Creation of three new Colleges.

1845. with them paramount to all other considerations; and so long as its integrity seemed to be threatened, education and all other matters must be dealt with in subordination to that view. Unofficial communications were opened with Primate Beresford, and other persons of authority and weight connected with the University, in order to ascertain how far they were disposed to acquiesce in measures of the kind above adverted to. A good deal passed upon the subject, partly by letter, and partly in conversation; but it soon appeared evident, that there was little hope of winning over the heads of the Church, or the University, to the promotion of the contemplated scheme; and with regret, it was consequently abandoned. There remained however the alternative of founding new colleges, in which adequate provision might be made for secular instruction; and in which honours and rewards might be liberally provided out of the public purse, as many of those in Trinity College had originally been. Maynooth, with its replenished endowment, and the theological professorships at Belfast, sufficiently provided, it was thought, for the training of the Catholic and Presbyterian clergy. All that was therefore supposed to be wanting, were places of collegiate instruction for the laity; and as Lord Stanley's scheme of non-sectarian education in the primary schools, seemed to be accepted generally by the majority of the various denominations, Ministers were led to believe, that the same neutral principle

would find ready acceptance in collegiate insti- 1845.
tutions likewise. Several Catholics of weight and influence were sounded on the question, and their replies were of the most assuring kind. A bill was accordingly framed under the direction of Sir J. Graham; and in a speech of much ability he developed the Government plan, which provided for the erection and endowment of three new colleges, for the education in common of the youth of all religious denominations. The Academical Institution of Belfast, which had been for many years in existence, was to be transformed into the Queen's College of Ulster; at Cork a second was to be established for Munster; and a third was to be founded at Galway or elsewhere for Connaught.

Equality of claims to Education.

"In dealing with the subject of education, it could not be dissembled that religious differences constituted the great difficulty, in the way of a satisfactory adjustment of a general system. It was true that in Ireland the difficulty that presented itself was not of the same character, as that with which they had to contend in England. There was not in that country the same variety of sects or of religious opinions. But still there was in that country one great striking anomaly, which constituted of itself an immense difficulty. The religion of the great majority of the people of that country, had long been treated by the State as a hostile religion. He was happy to say that that system of government had been gradually mitigated, if not entirely removed. Civil equality had been granted to the Roman Catholics; the penal laws had

1845. been removed, or they were in progress of removal from the statute-book; but still there were traces remaining on the part of the State of that hostile disposition; and those traces were nowhere more perceptible, and in no degree more obnoxious, than where they were still found interfering in matters of education. Various plans for educating the people of Ireland, with the aid of Government grants, had been proposed, various attempts had been made, but those attempts had generally failed, and they had failed whenever there was an interference with conscience in matters of religion. Practical experience upon the subject was not wanting. The difficulty had been clearly ascertained, and the mode in which it might be met was distinctly enunciated by reports of successive committees and commissions; they had then to deal practically with the subject, possessing the advantage of having had some experience in the practical application of the theory. Whilst the State endeavoured to give education in conjunction with attempts to proselytize, large sums were annually voted for that object; but they were voted in vain. * * * They had had to deal with somewhat analogous difficulties in the Establishment of the University of London. How had those difficulties been overcome? No religious test was required, either of teachers or students; the latter, professing every variety of religious creed, received in harmony all the advantages and honours, literary and scientific, of the University: and this principle was its basis. There were two colleges founded on opposite principles. In University College there was no religious test; King's College, on the other hand, was exclusively connected with the Established Church. But the two colleges were combined in perfect harmony in the London University. Nor was this all; the University had within

Analogy of London University.

itself an expansive power, the power, with the consent of the executive Government, of appending to it any seminary or college in any part of the United Kingdom; and it had been his duty to give his consent to the Roman Catholic College in Carlow being placed in connection with the University of London. The Scotch Universities afforded also, in a certain sense, an illustration of the happy results of this principle. In each of the five Universities of Scotland, there had been, at different times, students from various parts of the United Kingdom, of every religious creed, all meeting in perfect harmony in the lecture-rooms. Those who chose might attend the lectures on Divinity; but there was no compulsion; and although divine worship was provided within the walls of the colleges, it was not a necessary part of the college discipline, that the student should attend it. Her Majesty's Government recommended three colleges founded upon this principle of toleration, one at Cork, one at Belfast, and the third either at Limerick or Galway. The total expense of the three colleges would be £100,000, as the capital to be sunk in the first instance for building and establishing; and there would be an annual grant of £18,000 for salaries and other expenses. He proposed that £1000 should be assigned as the annual salary of each of the presidents; and an allowance of £300 each for 10 or 12 Professors. It was their intention to propose that the Crown should have not only the power of nomination, but also the power of removal for cause shown. He proposed that the Crown should have the power of removal for this reason,—that while they sought in the establishment of these institutions, to exclude any undue interference with religious opinions, security must be taken that in the lectures not theological, opportunities were not seized of making these lec-

1845.

Omission of religious tests.

1845. tures the vehicle of any religious tenets. Therefore it was that he proposed to vest in the Crown, the power of appointment and of removal for cause which must be shown. No provision was made for the residence within the walls, of either professors or students. The scheme of instruction would be by means of lectures, and daily examination in connection with those lectures. To the daily examination he attached the greatest importance; for as a system of education, he believed that lectures without a stringent, frequent, and searching examination were fruitless, and the education so communicated extremely superficial. Consistently with the principles on which the measure was based, there would be in none of the colleges a faculty of theology; it was consequently not proposed to endow any lecturer in divinity. It should not however be supposed that religion was to be altogether disregarded in these institutions; on the contrary, they proposed that every facility should be given for the endowment, by means of private benefactions, of professorships of theology, subject to the visitorial power of the Crown; and under regulations as to other lectures to be given in the colleges. They proposed that instruction in theology should be given in the lecture-room, within the walls of the college. It would be monstrous if any other course were taken; for although, in localities like Cork and Galway, these seminaries must necessarily be in the main Roman Catholic colleges, he yet hoped that the Protestant youth of other neighbourhoods would attend, and share the advantages of the education in arts and sciences there provided. And supposing that Protestant parents in the neighbourhood of the college, should be anxious that while their sons attended for those purposes, they should be sure of receiving instruction

No lectures in theology.

in the religious doctrines of their forefathers, and if by their own munificence they were willing to endow institutions for lectures in the Protestant religion, it would be hard if opportunities were not given for that purpose; the Bill would therefore provide such facilities. One great question that presented itself was, whether these three colleges should be associated together in one University, or whether the Crown should endow each of these colleges with the power of granting degrees in arts, science, and medicine. That was not the time to fix and carry out definite arrangements on the point; but he would state his own opinion. He considered the various advantages preponderated decidedly in favour of a central University. They could not expect universities scattered throughout the provinces, to confer equal advantages upon the nation, with those which would result from a central institution. Nor could they hope to obtain from them that great moral effect in after life, which would be produced by the youth of one academical establishment meeting at a central point, the youth of rival establishments, and there contending without reference to creed or race, for those honours and distinctions, which intellect, merit, and attainments were sure to bring. It was impossible for any one who had taken part in the honourable contests of their own universities, not to remember with sentiments of esteem and respect, those with whom he had contended in his academical course, and especially those whose superiority he had tested by experience. He thought the central University should be in the metropolis of Ireland. He was aware this determination presented a question of great difficulty. He was of opinion that neither policy, nor equity, nor justice, would admit of any interference with Trinity College as it then existed. It was founded

1845.

A central University.

1845. by Queen Elizabeth, avowedly for Protestant purposes, which had up to that time been steadily maintained; and it was from that source chiefly that the Established Church of Ireland drew its priesthood. The Government had had, in respect to this proposal of Irish education, to encounter, not only some obloquy, but many painful sacrifices of friendship, or at least of confidence, on the part of their friends. They had at the same time marked with pleasure, a desire on the part of Parliament that ample provision should be made for the education of the Roman Catholic priesthood, by the additional grant for Maynooth; and in respect to the present measure, he proposed in like manner, that annual aid should continue to be afforded by Parliament, to the Presbyterian clergy in the north of Ireland. Now Trinity College was an institution endowed by a Protestant sovereign, avowedly to provide education for the ministers of the Established Church in Ireland; he could not therefore consent that its property should be invaded, or the uses to which it was appropriated be disturbed: and Trinity College was so interwoven and blended by use and long possession, with the University of Dublin, that it would be difficult, and in the opinion of some dangerous, to interfere with that peculiar connection. Neither Trinity College nor Dublin University was an exclusive establishment. In 1793, when the elective franchise was given to the Roman Catholics of Ireland, a considerable relaxation as to the exclusive character of the University took place. An Act of that year declared that Roman Catholics should be admitted to take degrees, and to share all advantages of the University, excepting those arising from emoluments or endowment, expressly limited to Protestant uses. The right hon. gentleman, Mr Wyse, who had interjaculated a remark, said that these emoluments constituted

Trinity College not to be disturbed.

the 'golden fruits' of collegiate establishments, referring, he supposed, to the scholarships. But he would remind him that Mr O'Connell had disclaimed any desire to interfere with them. He was bound to pay a tribute of well-merited applause to the member for Waterford (Mr Wyse), whose exertions, through evil and through good report, had forced this subject upon the attention of reluctant Governments, amid adverse circumstances; and who then, without jealousy or ill-feeling, was willing to renounce for himself the glory, and relinquish it in favour of his political adversaries. His own belief was that this measure would conduce to the concord, the order, the peace, and the virtue of Ireland; and he implored the co-operation of Parliament in its enactment." 1845.

The proposal was hailed with satisfaction by Mr Wyse, Mr M. J. O'Connell, Mr Roebuck, and Lord Palmerston. Mr Sheil and Mr Warburton, while accepting it, strongly urged the expediency of having but one university instead of two. Sir Robert Inglis denounced the plan as a "gigantic scheme of godless education;" but few evinced any disposition to support his view. Lord J. Manners opposed the second reading, as did Mr Roche and Lord Adare. It was supported by Lord Sandon, Mr Redington, Mr M. Milnes, Mr G. A. Hamilton, and Lord Mahon; and in a full House its opponents numbered but forty-eight.

Payment of the Catholic clergy.

It was believed by many, that the unavowed purpose of connecting the Catholic clergy of Ireland with the State, underlay all that was done at this time, regarding collegiate education. From the days

1845. of the Union, a tradition had been handed down amongst official men, that Mr Pitt had earnestly desired to accompany that measure with one for the endowment of the priesthood. It was not so generally known that George III., in spite of his intense repugnance to emancipation, was strongly in favour of the measure: still less was it suspected, that the most unpopular of his sons entertained a similar view. But it was well known that Lord Castlereagh, Mr Canning, and Lord Wellesley, had always looked back with regret, on the failure of their illustrious chief to accomplish what he had designed; and in the Parliament of 1845 there were not a few who had voted for Lord F. Egerton's motion to that effect, twenty years before. Sir R. Peel had then opposed it as one of the means calculated to facilitate the passing of the Relief Bill; and he had recently declared it to be one of those things, which if desirable, it was not for him to carry. The Home Secretary likewise regarded it as impracticable; but he had early declared himself in its favour: and more than once of late, he had volunteered the statement, that his difficulties on the question were not upon religious grounds. Lord Stanley, and other members of the Administration were understood to hold like sentiments; and a strong impression began to prevail, that the Maynooth Bill was but a feeler, to ascertain the strength of public opinion on the subject. This impression was considerably deepened by

the appearance of a work entitled "Policy of England towards Ireland," the aim of which was to recommend Catholic endowment. Though published anonymously, it was known to be from the pen of Mr Charles Greville, then clerk of the Privy Council. No little pains were taken by some of the Ministers, who heard of its being in the press, to dissuade him from giving it to the world. Sir James refused to take part in these remonstrances. The writer of the deprecated volume had been his fellow-student at Christchurch; and though their paths in life had subsequently lain somewhat apart, their intimacy had been resumed, and thenceforth it continued without interruption for many years. The Home Secretary thought highly of the work, and often spoke of it to others, in terms of warm commendation. But it was an error to suppose that it had been in any sense suggested by him, or by any other member of the Government: for in point of fact, the project it was meant to further, appeared to all of them at the time, as it undoubtedly was, beyond their reach.

1845. Mr Greville's work on Ireland.

Early in the year Lord Stanley, by his own desire, had been called to the Upper House, retaining his office of Colonial Secretary. He himself afterwards stated that he was influenced by his wish "to assist the Duke of Wellington as a colleague, and to take a portion of the weight of public business off his shoulders; and that he looked forward to making

Lord Stanley a Peer.

1845. himself so known to the members of that House, as to qualify him in some degree to act as the successor of his Grace, whenever he should himself desire to be relieved from the burthen of office." * Colonial affairs had indeed given rise to less discussion since 1841, than might have been expected; and those who appreciated most Lord Stanley's rare talents for debate, did not conceal their regret that they had not been more constantly put in requisition. In the House of Lords he was certain to be oftener called upon to take a leading part: and this he naturally preferred. A controversy of old standing had been maintained between Downing-street and the New Zealand Company, whose affairs were not prosperous.

Mr C. Buller's speech on New Zealand.

On the 17th June Mr Charles Buller, in a speech displaying great research and ability, made a series of charges both against the Church and the Government, in reference to the administration of the colony. He complained of the conduct of the Missionaries in transferring to themselves large tracts of land in New Zealand. He censured the course pursued by the head of the department at home, as opposed to the interests and rights of the colonists. He attributed this maladministration to the "loose and hurry-scurry impressions of Lord Stanley, to his deplorable spirit of pugnacity, and to an unworthy jealousy of the

* Letter of Lord Stanley, 18th February, 1846; Gleig's Life of Duke of Wellington, vol. iv. p. 134.

Company" under whose auspices the greater number of settlers had emigrated; and to whose agency in extending British influence and dominion he averred that Government was in fact greatly indebted. He concluded by moving that the House should resolve itself into a Committee, to consider the state of New Zealand. Mr M. Milnes seconded the motion; which was met by the Under Secretary for the Colonies (Mr Hope) with a direct negative. The debate lasted three nights; Lord Howick, Mr E. Ellice, Mr Colquhoun, Mr Hawes, Mr Sheil, and Lord J. Russell supported the motion; while Mr Cardwell, Sir J. Graham, and Sir R. Peel resisted it, as an implied vote of censure on the Administration. Their tone, nevertheless, was felt to be so measured and deprecatory, that some of Lord Stanley's personal friends complained, that his colleagues had not sufficiently identified themselves with the course he had pursued. An observation which fell from the Home Secretary was especially noticed, when, in replying to the reproach of delay in the Colonial department, he "admitted that the weight of the business was most oppressive; but demurred to the remedy of a board as not tending to expedite its transaction." Those who fancied themselves competent at the time to form a judgment as to the personal relations subsisting between members of the Government, imagined that through the haze of this debate, they caught glimpses of growing estrangement and distrust. 1845.

1845. Read by the retrospective light of events which not long afterwards ensued, it was noted as a significant step in the progress of alienation between the two individuals, who of all men had been once the most intimate of friends. But viewed fairly and dispassionately by the colourless light of a less stormy day, there seems little if any ground for the imputation that either Sir R. Peel or Sir J. Graham were wanting to their noble colleague. The case was one of infinite complication; and it was exceedingly difficult to keep the attention of the House alive to the consideration of details. A deep impression had been made by the able speech of Mr C. Buller in favour of the New Zealand Company; and many influential ministerialists were known to entertain opinions adverse to the course Lord Stanley had pursued. The growing disaffection in the party, caused by the Maynooth Bill and the Tariff, rendered it at the moment a matter of great uncertainty, how far Ministers could count upon support in a critical division. Had they taken a different line in debate, it is not so clear that they would have had a decisive majority. As it was, they contrived to defeat Mr Buller's motion by 223 votes to 173; and with this, under all the circumstances, it was thought the head of the Colonial department ought to be content.

Medical Bill.

The attention of Sir James had frequently been called to the necessity said to exist of controlling the differences between the rival branches of the medical

profession, and the expediency of establishing some general body in which they should all be represented, and which should exercise a general superintendence over all matters connected with the public health. The diversity of the interests involved, and the dissimilarity of the learned bodies, which, under different charters, exercised the right of conferring medical degrees, rendered a careful investigation of the subject no trivial task: and when, in his eagerness to grapple with its difficulties, and to reconcile if possible contending claims, he got into correspondence with members of the Colleges of Surgeons and of Physicians in London and Dublin, professors of anatomy and chemistry in Scotland, and a large number of the general practitioners throughout the United Kingdom, he soon found that what he had thus undertaken, added considerably to his daily weight of work. But this appeared to have a sort of fascination for him. He was never tired of collecting and collating evidence, and of discussing orally, or by letter, the infinitely varied, and often infinitesimally minute, details of a question, which he deemed of practical importance and which he sought to master. In the present instance he was not fortunate. Nobody else wanted to have done, what he disinterestedly wished to do. Though he had sometimes successfully shifted a hive of bees from a rickety stand to a safer spot, without caring much for a casual sting or two, he made up his mind 1845.

1845. never again to try the experiment of lifting three hives at once, or of concentrating them all under one of glass. The Medical Bill, which he had spent no end of time and trouble in putting together, was praised and abused, debated and amended, committed and recommitted, during the Session of 1845, till everybody except himself was weary of the endless controversy; and it was shelved at last, with the usual flattering formula "to be reintroduced next year:" but its next year never came. Its failure indeed was made a theme of reproach by the Opposition; but like other and graver questions, which he and his colleagues were upbraided with not having settled, they were prudently eschewed by their successors, when their turn of office came.

Official labour.

It is not easy to give any adequate idea to those who have not had the means of observing the amount and diversity of official labour, in the leading departments of Government, how incessant and intense is the strain upon the resources of mind and body, when keen susceptibility and high ambition are combined in the person of a Minister. There is of course no limit to the drudgery of detail, that may be got through by deputy; and indolence or phlegm is ever ready to suggest the inutility of trying to do too much, with one overtasked pair of eyes and hands. But men of the stuff whereof Sir R. Peel and Sir J. Graham were made could not console themselves with any vague plea like this. Anxiety is

perhaps the best name that can be given to the restless, inquisitive, and no doubt habitually distrustful solicitude, with respect to the interests committed to their care, which, as a demon of toil, inexorably haunted them. Was there not something in their common lot in this respect, which drew together these two men, and for many years bound them together in ties of mutual confidence and reliance? Curiously enough, each of them entertained a boundless admiration for the other's aptitude for continuous official labour. "I called upon Sir Robert Peel during my visit to London," said Sir Philip Crampton,* to a friend in the autumn of 1845, "and found him I thought looking not exactly ill, but evidently the worse for over-work. I knew him sufficiently well from early times, to say to him that I was certain he was doing too much, and that he did not give himself sufficient time for rest and relaxation. His only answer was—Do you think so? Why, what I do in the way of work is nothing to what Graham does." His mind, in fact, was filled with the idea he had himself expressed on a memorable occasion in the House of Commons,—that the position of Prime Minister of England in our day, was the weightiest, as well as the highest trust, which could devolve on any man in the civilized world; and his indefatigable lieutenant, with whom he sympathized

1845.

Sir Philip Crampton.

* For many years at the head of the medical profession in Dublin.

1845. and conferred daily more and more, as the horizon darkened, shared to the full his sentiments, and toiled amid the inner mechanism of the executive Government, if it were possible, more diligently even than he. A friend * who happened to breakfast with Sir James one morning in Hill Street, was so struck by the singular abstemiousness of his repast, which consisted of a cup of tea and a biscuit, that he ventured to expostulate with him on the subject. But he was not to be shaken in his notions regarding spare diet, which he said "was essential to the preservation of his capacity for labour, such as that which he had to undergo. For any one who was subject to gout, and who could not find time for out-of-door exercise, there was nothing for it but to live low, if he would retain his capacity for mental work." He never ate luncheon, and his only meal was dinner, which he generally took at eight o'clock. The number of hours he devoted to business, was in truth greater than his constitution could bear with impunity. Not only were his days unintermittingly spent at the Home Office, or in the House of Commons, but many of the hours which ought to have been given to sleep, were added by him to the long working-day. He went comparatively little into society, and when he did, returned home early, that he might devote two or three hours to his papers, before retiring to rest. He was not content until he had read every

Abstemious habits.

* Mr J. C. Colquhoun.

report in print or manuscript, as well as the evidence on which it was founded, which related to the business of his department, or to questions, which he anticipated might be raised in any form, in the House of Commons. Every new book and pamphlet, that could suggest arguments or ideas, was to be found upon his table; and the margins of their pages attested the attention with which they had been read. He kept everything,—letters, memoranda, copies of official minutes, excerpts from speeches, resolutions of public meetings, passages from leading articles, comparative statistics, and casual publications of innumerable kinds. He seldom went to the House of Commons unarmed with, what he used playfully to call, his revolvers. By these he meant the envelopes, in which he placed the materials for defence of his opinions, upon the variety of subjects which he anticipated might arise in debate. Each contained the leading arguments on both sides; and the reasons which decided his own judgment. Many of them were of course never used, as their endorsements still attest. But the habit of preparation became such, that to the latest period of his life he never left it off. "I have seen him," says one who sat with him many years in Opposition, "come down to the House night after night, with his pacquets of parliamentary combustibles; draw his well-filled envelope from his pocket, as each new topic turned up, go through its contents,

1845. Preparations for debate.

1845. and then lay it on the seat beside him;—do this afresh two or three times in the course of the evening, and then quietly go away without having once opened his lips."

Influence with Sir R. Peel.

There was no one on whom the Premier leaned so undoubtingly for ready and efficient aid in counsel or debate. Wherever any difficulty had to be discussed, or measure of importance to be framed, the co-operation of the Home Secretary seemed to be indispensable. Other Ministers, when called on, were ready to "make time" for deliberation and inquiry; but he, who did as much in his own office as any of them, had always time to spare, and practical suggestions to offer. The influence he thus acquired with Sir Robert Peel, did not tend to lessen his growing unpopularity; and when towards the end of 1845, it seemed to be evident that the Premier had made up his mind to abandon the Corn Law, the feeling instinctively prevailed, that his chief adviser in that, the most important step of his whole life, was the Secretary for the Home Department. We now know indeed that this was true. The experience of office had slowly but surely brought him back to the principles of his youth; and had thoroughly disenchanted him with the dream, of appeasing popular discontent with protecting duties on the prime necessary of life, by remissions of taxation, however liberal and enlightened, on mere comforts and luxuries. By the remodelled

tariff of 1842, and again by that of 1845, hundreds of articles of minor consumption had been permitted to pass through the Custom House free: trade had been palpably benefited, and the financial condition of the country was restored to one of health. Yet the Anti-Corn Law League would not die. Every outwork of protection yielded, only rendered the defence of the citadel apparently less possible. 1845.

Month after month, and day after day, that great combination of commercial wealth, energy, and intellect, extended its influence. It had outgrown the silly scepticism of West-end Liberalism, and the idle interdict of Tory wrath. It had struck root palpably in the electoral soil of the country; and though the time had not come for bearing fruit, it was manifestly approaching. The Parliament was four years old,—a consideration which, in times of change, outweighs most others in the minds of constitutional Ministers. It had been confidently prophesied by all, who read events in the shadows they cast behind them, when Sir R. Peel had been borne into office by a majority of ninety, that the League would die out. It was formed of vulgar stuff, of common clay, that had not the ring of gentility in it, and that must soon go to the bottom from sheer want of floating power. The idea of a mere middle-class movement succeeding, without the leadership or even the patronage of either set of hereditary legislators, was simply absurd; so absurd, indeed, that no thorough-bred Anti-Corn Law League.

1845. politician believed in its possibility until after it had happened. Manchester might talk of raising £50,000; and might possibly do it; for was not the effort to obtain free trade a good investment after all, for rich manufacturers, who must find new markets to employ their accumulative capital? But the clubs and the press, and the constituencies of the kingdom, were too long accustomed to fetch and carry at bidding of the old recognized party leaders, to be won over or bullied by a knot of nobodies, however pertinacious or persevering. When the £50,000 had been raised and spent, in holding scores of meetings, and getting up hundreds of petitions, and circulating many thousands of statistical pamphlets, Whiggery and Toryism nodded to one another across the street, and laughed each in its sleeve as it wondered "what these people would do now." These people said they would raise £100,000; and what was worse, they began to do it. Regardless of Lord Melbourne's saucy veto, and his having said "that they would take the Crown off her Majesty's head," several excitable persons who ought to have known better joined the League. Lord Fitzwilliam asked Mr Cobden to Wentworth, and drove him over to Doncaster next day, to attend a great gathering there; but then the Earl was so odd, and sensible men would not mind him. It was certainly more provoking when Mr Jones Lloyd gave in his adhesion; but still he was only a banker; and as for

the city election in which Mr Pattison had beaten Mr Thomas Baring, that was one of those caprices of large constituencies, like Mr Hume's return for Middlesex, in 1831, which could not be accounted for. But when it was ascertained for a fact that the Marquis of Westminster had subscribed £500 to the League Fund, a certain sense of misgiving began to creep over the minds of the best-bred unbelievers, and fear fell upon all who had paid dear for their seats in Parliament; and who, if they were to hold them, knew that they must pay dear for them again. The shadow of events began to be cast the other way; and every time-serving trimmer and fribble set about learning to read what was indicated thereby. Two hateful facts grew day by day more clear, alike to Whig and Tory minds,—that the League would not die, and that the Parliament speedily would. Symptoms of a gradual giving way became discernible, in what had undoubtedly been the prevalent faith in protection; and thousands who above all things dreaded commotion, and who still tried to persuade one another that they despised the League, half inarticulately began to mutter a wish, that the troublesome question were settled. 1845.

The Premier and the Home Secretary anxiously watched the turning of the tide. It is plain enough now that they had for some time expected it; and that others as well as they had made up their minds that a total change of system was inevitable.

1845. 10th June. On Mr Villiers' annual motion for total and immediate repeal, Sir James said,

"He would not deny that it was his opinion, that by a gradual and cautious policy, it was expedient to bring our system of Corn Laws into a nearer approximation to those wholesome principles, which governed legislation with respect to other industrial departments. But it was his conviction that suddenly and at once to throw open the trade in corn, would be inconsistent with the well-being of the community, and would give such a shock to the agricultural interest, as would throw many other interests into a state of convulsion. The object of every Government, without distinction of party, for the last twenty years, had been to substitute protecting duties for prohibitory duties, and to reduce gradually protecting duties, where it had them to deal with. He approved of this as a safe principle; and showed that it was a key-stone of the policy of Sir Robert Peel. * * * If they could show him, that free trade with open ports would produce a more abundant supply to the labourer, they would make him (Sir James) a convert to the doctrine of free trade in corn. He confessed that he placed no value on the fixed duty of four shillings lately proposed; it would be of no avail as a protection, whilst it would be liable to all the obloquy of a protecting duty; and he therefore thought that if they got rid of the present Corn Law, they had better assent to a total repeal."

And when on the 5th of August, Lord J. Russell reviewed the Session, and warned Ministers that if it were true that certain strange atmospheric phenomena had been already observed, which presaged

a bad harvest, they would find that their tariff re- 1845.
forms were insufficient, and that they must deal at last with the great question of corn,—the Home Secretary replied in language, if possible, more indicative of his readiness, whenever the question was ripe for settlement, to see it settled. With a curious incredulity, as to the particular peril which even then overhung the country, he rallied the leader of Opposition "on his alarm at a mist that had hung over the Surrey hills ten days before, which perhaps had given a colour to his views on the subject, if it had not indeed been the immediate cause of his speech and motion. The noble Lord was probably actuated in making it very much by the particular apprehensions he felt with respect to the harvest, for he intimated that the prospects of this country at the present moment were gloomy. But it was consolatory to think that while these gloomy anticipations were indulged in, there was the largest quantity of old home-grown wheat in store ever known at that period of the year. As regarded the price, the average price of the previous six weeks up to that day was 49*s*. 11*d*. a quarter, and the average price of the week was considerably less than 54*s*. a quarter. On the 6th of August, 1839, there were in bond in this country, only 51,000 quarters of foreign corn, whereas they now had 450,000 quarters in bond. On the same 6th of August, 1839, there were in the Bank of England only £2,450,000 in specie; whereas, now

1845. there were £16,000,000. With a rapidly increasing population the difficulty of securing an adequate supply of food must inevitably increase; but the average price of wheat under the amended scale was under fifty shillings; and unless a bad harvest was impending, there was no reason to anticipate any considerable advance. He still retained his belief that an insignificant fixed duty would prove the most delusive of all schemes for equalizing prices; and it was clear that the noble lord himself did not think the House of Commons prepared for absolute and unqualified free trade, for that was a proposal which he had never yet made, and which he agreed with him in thinking, it would be impossible, under existing circumstances, to persuade Parliament to adopt.

Thus closed the Session of 1845, amid party recriminations in-doors, and a general sense of prosperity and satisfaction without, at the further progress made in Customs Abolition, Railway Extension, and the steady expansion of trade. The Anti-Corn Law League prepared for another campaign; but the moderate price of provisions, and abundant employment, admonished its leaders to husband their strength for a time. Agitation was become hard work, and even in Ireland, political excitement flagged. The Whigs were daily told that they had missed their time. Mr O'Connell was assured by quarterly reviewers and daily journalists, that Ireland was

fast ceasing to be the great difficulty. Sir Robert Peel's policy was apparently triumphant in all respects; and despite the disaffection of old parliamentary followers, his tenure of power seemed more firmly established than ever. Such was the surface look of things. No man, however gloomy, dreamt that the country was even then drifting near the brink of a great calamity; and none had the faintest suspicion that by the end of the year, the Ministry would be dissolved, their rivals named in their stead, the compromise of 1842 abandoned, and that famine would be at the gate. 1845.

The apprehended difficulty with the United States having been set at rest, the Home Secretary had, in the course of the speech last referred to, paid a well-merited tribute to the temper and ability of Mr Everett, through whom our differences with that country had been arranged. His mission was about to terminate; and on the eve of his departure Sir James addressed to him the following letter:— Letter to Mr Everett.

"Hill Street, 7th August, 1845.

"MY DEAR SIR,

"I deeply and sincerely regret your departure from this country; and I am glad that an opportunity occurred, which enabled me to express in public, my feelings of respect for your high character, and my sense of the services which you have rendered to your own country and to mine.

"You have so represented the United States at this Court, as greatly to exalt our estimation of your countrymen,

1845. and to conciliate the good will of all classes in England. The direct and powerful tendeney of your influence and conduct, has been to improve the amicable relations between the two Governments, and to consolidate that peace, on which the happiness and welfare of both nations will be found at all times, and in every circumstance, to depend.

" My constant avocations have prevented me from seeing so much of you and Mrs Everett, as Lady Graham and I could have desired; but you carry with you our best wishes and esteem, and hoping that we may meet again, I shall never cease to be interested in your happiness, and to remember you with kindness and respect.

" Pray offer to Mrs Everett the expression of these sentiments on my part, and believe me always,

" My dear Sir,

" Yours sincerely,

" JAS. GRAHAM.

" His Excellency, the Hon. E. Everett."

CHAPTER VIII.

REPEAL OF THE CORN LAWS.

1845—1846.

1845. Autumnal vacation.

More wearied than he had ever been before, by the incessant labour of the Session, the Home Secretary was glad, as soon as it had closed, to seek relaxation and quiet at Netherby. There were many things to be done ere he could go out of town; and it was not his way to leave official matters half finished or undone. At length, however, he satisfied himself that he might quit London for awhile; and taking with him, as was his wont, several ponderous boxes of papers, he set his face northwards, and felt the load of his anxieties grow light, as he approached his hill-side home. Surrounded by his family, and cheered by the prosperous outlook around him, he quickly shook off the languor which in the hot days of July and August he had suffered from in town. The grouse were plenty, his gun was often in his hand, and he shot as well as ever. His sons

1845. were by his side on the moors, and two or three friends accompanied him. Now and then, broken weather kept him in-doors during the morning; and he too easily yielded to the excuse for remaining in his study all day, busied with Home Office papers, and private correspondence. At the end of two or three weeks of unclouded happiness, a shade as of coming trouble perceptibly stole over him. At first it went quickly as it came, and he gave himself up to the sense of exquisite enjoyment in country life, which had so often before banished vexation and reinvigorated his spirits. But the shadow deepened each time that it returned, and each time it lingered longer. From various quarters the evidence forced itself upon him, that owing to some inexplicable cause, blight, in a form not hitherto known, was falling on the food of the people. How far it might extend, or what its ultimate effects might be, it was vain to conjecture; for while scattered but numerous accounts of failure attested the fact, few ventured to assign any definite measure to the mischief, far less to suggest a remedy.

Rumoured failure of potato crop.

Apprehensions of Sir R. Peel.

From the hour his misgivings were first seriously aroused as to the loss of the potato crop, they were communicated without reservation to Sir Robert Peel, whose mind, habitually watchful of every description of phenomena, whether social or political, within his observation, had likewise become impressed with the importance of similar statements

as they reached him. So early as the 11th of August, one of the great salesmen of London wrote to Sir James, circumstantially detailing the result of a journey made through the South Eastern counties, for the express purpose of observing the condition of the crops. The letter stated unequivocally the prevalence of disease among every species of potatoe, throughout Kent and Sussex, and added the unwelcome intimation, that nearly all which he had seen in the London market, wheresoever grown, bore indications of similar blight. Other communications told at intervals a similar tale; nevertheless the price did not manifest any symptoms of an immediate rise, and it was natural to hope that the evil was at most but partial, and that though damage might have been done to the root, it might still be preserved and consumed as food. Every week however new proofs appeared of the prevalence of the disease. Then tidings came of scanty harvests abroad, more especially in Eastern Europe. The Turkish Government early took alarm; and on the 27th of August, the export of provisions of all kinds was prohibited throughout the empire. Mehemet Ali followed the example of his Suzerain, prohibiting all outward trade in corn from Alexandria. In Belgium, apprehensions were with reason entertained, from the beginning of September, respecting the harvest generally; and on the 24th of that month, the Chambers passed an Act interdicting the export of any species of pro- 1845.

1845. visions. The Governments of Russia and Sweden subsequently adopted similar measures; and the English markets would, it was supposed, be affected thereby. As the ordinary sources of supply from abroad were one after another thus cut off, it became the duty of Government to institute minute inquiries as to the actual amount of food which the United Kingdom contained; and to consider by anticipation, what external resources might be counted on with certainty, in case of need.

Government inquiries.

From the moment the first shadow of approaching dearth fell upon their path, Ministers felt the importance of obtaining early and accurate information from various localities as to the stock of food in hand. The Home Secretary began at once to organize a special system of correspondence for this purpose. By his own hand, or under his immediate direction, letters were addressed to persons of various descriptions, some in private, and some in official station, making minute inquiries, and inviting suggestion and observation. Amongst those to whom he turned with confidence in this hour of public need, none afforded more prompt or valuable information than his early friend and colleague, Mr Blamire. As a Commissioner of Tithe Commutation, this gentleman possessed more than ordinary opportunities for collecting and arranging agricultural statistics; and his tastes and habits fitted him peculiarly for making good use of them. With charac-

teristic zeal he threw himself heartily into the work; 1845.
communicated from time to time, and frequently from day to day, the results of his curiously ramified investigations; and thus supplied, with as little delay as under the circumstances was possible, a singularly comprehensive and well-arranged mass of details, on a subject, always encompassed with difficulty, but especially so at a season of apprehended famine. After Sir James's return to London, he saw Mr Blamire frequently. The memory of old times came back, as the once familiar friends were again brought into constant and confidential communication. They thought of the days when politics were to them a term without any definite meaning, and when the cares and toils of life were to them unknown. They thought of the gatherings at Workington, and the Dalston dinner, and the hey-day of Reform, and of the time when they sat together as representatives of East Cumberland; and each knew instinctively, that the recollection of these things was in the other's mind, though he spoke not of it. The greeting as they met, gradually became more cordial,—more like what it used to be. They were conscious of striving hard to do all that could be done, to grapple with a terrible emergency; and a common sense of the impending evil, and of being thus brought together in the effort to meet it, silently thawed away whatever still remained of former grudge or jealousy, and left them once more good friends.

Exertions of Mr Blamire.

1845. Commission of scientific inquiry.

The returns obtained from Scotland, left no room to doubt that one-third of the potato crop had perished. But the chief anxiety of Ministers was with regard to Ireland; and early in October, Drs Linley and Playfair were sent over to make scientific inquiries on the spot. In Ireland, the potato crop being generally planted later, the alarm for its safety did not arise quite so soon. So late as the 17th October, a despatch of Lord Heytesbury's to the Home Secretary, expressed hopes that a considerable proportion of the year's produce would be available for human sustenance; and that no immediate pressure need be anticipated. He took care to add, however, a strong expression of his fears of dearth in the ensuing spring. Three days later the Viceroy wrote,—"our accounts continue to be of the most discouraging nature. One of the most embarrassing circumstances attending the disease, is that potatoes dug up to all appearance perfectly sound, after a short time begin to decay, and very soon rot altogether. Under such circumstances, it is impossible to form any decisive opinion as to the amount of the calamity." With the approach of colder weather, a mitigation appeared to take place in the symptoms of the disease. On the 24th Lord Heytesbury "was inclined to say, from the accounts that reached him, that the progress of the disease had, in some localities, been checked; but he dared not lay too great a stress upon this, for he had constantly received

satisfactory reports of the state of the potatoes when dug, and learnt a few days after that they had all rotted in the pits." It was this insecurity that formed their greatest difficulty. They did not and could not know the extent of the evil. "I was," says Sir James, when referring afterwards to this period, "in almost daily communication with Sir R. Peel, and it did appear to me that this matter of coming scarcity, if not of famine, to be apprehended in Ireland, had an immediate and indissoluble connection with the question of the Corn Laws: and I stated this opinion very early and decidedly to him." * 1845.

When the Cabinet met on the 1st of November, the Premier proposed to suspend the existing duties on corn, by Order in Council, or to call Parliament together, with the view of obtaining an Act for that purpose. He admitted in argument, that once opened, it would be difficult to close the ports again. But he avowed that he would not be deterred by that consideration from doing what the exigency seemed to him to demand. Lord Aberdeen, Sir James Graham, and Mr Sidney Herbert, supported these views; but the rest of the Cabinet demurred, and no immediate decision was come to. Meanwhile matters grew rapidly worse in Ireland. As the destruction of the main staple of subsistence became daily more and more palpable, the prices of all other kinds of food, it was feared, would proportionately rise. Meeting of the Cabinet.

* Speech of Sir J. Graham, 10th February, 1846.

1845. Agents of the Belgian Government cleared the Liverpool market of rice in a single day, and caused the price to advance seventy-five per cent. Public meetings were held in Dublin and other great towns, to call for the prohibition of distillation from grain, and to demand that the ports should forthwith be thrown open. Lord Heytesbury replied to an address of the citizens of Dublin, that there was no cause for immediate apprehensions; but when questioned by Ministers as to what this assurance meant, he explained it to have originated only in his desire to leave the Cabinet time to prepare adequate measures of palliation and precaution. They appointed a Commission to inquire, and to take precautionary measures against a sudden occurrence of distress. They especially took care to organize such arrangements as might become necessary to meet the spread of fever, which experience had shown to be a too certain concomitant of sudden destitution. The chief part of the responsibility in preparing the various measures then taken, and in shaping the course to be pursued in Ireland, with reference to the choice of instruments calculated to ensure their efficient working, rested with the Home Secretary. His correspondence, private and official, at all times great, became at the period in question truly onerous. No one, however obscure, or however influential, who had a practical suggestion to make, was left without a prompt and specific answer; and with

Apprehensions of dearth in Ireland.

the members of the Irish Government, his communications, ample, considerate, and precise, were kept up daily. A few extracts from some of his confidential letters will not be deemed uninteresting. 1845.

"Whitehall, 2nd December, 1845.

"My dear Sir,

"I have received with great satisfaction, your statement of the real extent of the danger which threatens Ireland, from the failure of the potato crop. I am quite aware, that it is difficult to form an accurate estimate of probable deficiency from imperfect data, even in the most favourable circumstances; and in the haze of exaggeration which surrounds you in Dublin, every object is either magnified or distorted. You will have heard the instructions addressed to the Lord-Lieutenant, which I directed to be communicated in strict confidence, to the Commission. These instructions I and my colleagues wished to bring under your notice; and I hope that they are consistent with prudence, and limit the violation of general principles within restrictions, as narrow as the peculiar circumstances of Ireland, and the pressure of present necessity, will admit. When scarcity of food once begins, fever will quickly follow; and I am anxious that you should be prepared for the coming evil: and I hope that the Poor Law machinery, judiciously applied, will afford you the means. You may depend on my cordial support in the just exercise of your power and authority in Ireland.

"I am, my dear Sir,

"Yours very faithfully,

"J. R. G. Graham."

1845. On all sides the sense grew daily stronger, of coming change. Lord Ashley, Mr Bickham Escott, and Captain Rous, hitherto staunch Protectionists, volunteered the avowal of their conviction individually that resistance was no longer tenable. Lord Morpeth gave in his adhesion to the Anti-Corn Law League, and re-entered Parliament, after four years' absence, as an unqualified free trader.

Lord J. Russell's letter from Edinburgh.

On the 23rd November, a letter addressed to the electors of London by Lord J. Russell, appeared in the morning papers, declaring his surprise that under existing circumstances Ministers had separated, without having apparently taken any steps to meet the impending scarcity. Looking at the recent progress of opinion, he declared "that it was no longer worth while to contend for a fixed duty. The struggle to make bread scarce and dear, when it was clear that part, at least, of the additional price went to increase rent, was a struggle deeply injurious to the aristocracy. 'The time was therefore come," he said, "for uniting to put an end to a system which had proved to be the blight of commerce, the bane of agriculture, the source of bitter divisions among classes, the cause of penury, fever, mortality, and crime among the people."

The Cabinet reassembled on the 25th, and confirmed the instructions framed by the Home Secretary for the Relief Commission. On the following day, Sir R. Peel told his colleagues, that having put

upon record such a confession of danger to the community of dearth, under a restrictive law of importation, he could not consistently abstain from advising, either its immediate suspension by Order in Council, or the early assemblage of Parliament, for the purpose of proposing its permanent modification. The opportunity for spontaneous action by the Government was indeed passed. He could not but regret, that his advice of three weeks before had not been taken. No doubt it would now be said that they yielded in consequence of Lord J. Russell's letter; but a great necessity could not be evaded by party considerations. And the tone in which he urged the point, rather than any particular expression, rendered it clear that he had made up his mind to alter the Corn Law, or resign. Lord Aberdeen, Mr Sidney Herbert, and Sir James Graham supported the policy of concession. The Duke of Wellington made no secret of his disappointment and chagrin; and said to more than one of his personal friends, that Peel and Russell had between them brought things to such a pass, that nothing now could be done but to give way. After repeated deliberations, the majority of the Cabinet decided in favour of such a permanent reduction in the sliding scale as would virtually settle the question. 1845.

On the 4th December, the *Times* announced, as a matter of certainty, that Parliament would meet on an early day; and that the repeal of the Announcement in the *Times* 4th December.

1845. Corn Laws would be then proposed by Ministers. This was vehemently contradicted, not only by other journals, but by members of the Administration, who it was natural to suppose could not be misinformed on the subject. Lord Wharncliffe assured the editor of the *Times*, that he had been scandalously mystified; for that "he was still President of the Council, and that he knew nothing of the alleged determination." Lord Stanley is said to have expressed himself warmly, at what seemed to be an attempt to influence the pending decisions of the Cabinet, by a semi-official invocation of popular opinion, through the press. On what authority the memorable disclosure in question was made, need not be here discussed. It is enough to say, that the Minister by whom the fact was communicated, was not the Secretary of State for the Home Department. The outer world remained in doubt as to what to believe. Among the initiated it became known, however, that Lord Stanley had finally declined to retain office; and it was understood that the Duke of Buccleuch meant to follow his example; though, eventually, he alone withdrew from the Cabinet. This appeared to Sir Robert Peel decisive as to the course he ought himself to pursue; and on the 6th of December he informed the Queen that his Administration was at an end.

Resignation of Sir R. Peel.

Lord J. Russell was summoned from Edinburgh; and received at Osborne on the 11th Her Majesty's

commands to form a Government. On the ground of his being in a minority in the House of Commons, he stated his inability to do so; but on a paper being placed in his hands by the Queen, in which Sir Robert Peel promised personally to aid any new Administration, in settling the question of the Corn Laws, the leader of the Whigs undertook the task, and called together his friends for the purpose. On the same day he requested a conference with Sir J. Graham, who called on him the following morning, informed him fully of the state of both England and Ireland, and communicated to him all the information it was desirable for him to obtain, together with the views and intentions of those with whom he had acted. Lord John expressed his desire and that of his friends, that some explanation should be afforded them, as to what Sir R. Peel would consider the basis of a satisfactory settlement. After consultation with Sir R. Peel, Sir James informed him that it was not for the public service, or at all a convenient course, that he should state the details of the measures which had been contemplated. A correspondence ensued, in which Lord John stated generally, the tenour of the settlement that the new Cabinet would recommend; and invited the opinion of the abdicating Minister thereon. Sir Robert stated fully, in a letter to the Queen, of the 17th December, the constitutional reasons why he deemed it wrong, that any one not responsible as

1845. Attempt to form a Whig Government.

1845. an adviser of the Crown, should be made a party to the preparation of ministerial measures; and why, as a Member of Parliament, and the chief of an outgoing Administration, he felt that he would be placed in a false position if he were to enter the House at the opening of the Session, precluded from exercising a free legislative judgment on the measures that might be proposed, and with his vote virtually in his successor's pocket. Lord John then proceeded with his task; and during the two following days, the members of both parties regarded the change of Administration as being certain.

Outgoing Ministers.

Throughout these negotiations, Sir James was in constant communication with Sir R. Peel, who, it may be truly said, did nothing without him. His strong conviction was, that nothing but retirement from office could extricate either of them from the personal difficulties, into which unforeseen circumstances had plunged them. He had already had experience of the party resentment to which men are exposed, whose sense of public duty compels them to thwart the political hopes, and destroy the political anticipations, of those who have aided in placing them in power: and he repeatedly used the expression at this time, when asked why he and the majority of his colleagues might not have retained office and carried the repeal of the Corn Law,—"it is far better that the Whigs should do it; they will be forgiven,—we never shall." He never relaxed,

meanwhile, in his solicitude and attention to the cares of his department. Every hour not spent in confidential conference was devoted to the details of business. He was anxious that, up to the last, all who were officially placed under him, should be made to feel that they were sustained with confidence; and that no interruption should, if possible, occur in the course of public business. On the 19th, he wrote to one on whose co-operation, in his particular sphere, he placed the highest value. 1845.

"I have written an official letter to the Lord-Lieutenant, vindicating my instructions to the Commissioners, against some comments made by Mr.—— in a letter to Sir Thomas Freemantle, which impugned relief given by the Commissariat, and recommended an extension of the principle of the Irish Poor Law. I have requested the Lord-Lieutenant to show you this official communication, which I intend to place on record, as my deliberate opinion on an important question. My official days are numbered; I shall resign the seals of this department early next week. I had an opportunity of mentioning your name with praise to Lord J. Russell: and I was gratified by the terms of approbation which he bestowed on your appointment. Your letter with suggestions to meet the approach of fever was read by Sir R. Peel. I have perfect confidence in your prudence, and I shall rejoice in your success."

To the surprise of every one, the whole of the new ministerial arrangements suddenly fell to the ground. After agreeing to fill the post of Secretary Lord Grey breaks up the Whig Cabinet.

1845. for the Colonies, Earl Grey changed his mind, and declared that he would not join any Administration wherein Lord Palmerston was Secretary for Foreign Affairs. Lord John forthwith communicated the fact to Her Majesty, and begged in consequence to be relieved from the task he had undertaken. Sir R. Peel resumed the reins of government, and found, with the exception of Lord Stanley, that none of his former colleagues insisted on retiring. His spirit rose with the belief, that he had got rid of the reproach of clinging to office, after he had changed his principles; and that with the all but unanimous concurrence of able and influential colleagues, he should succeed in re-forming his parliamentary position. Sir James did not share these sanguine expectations. Sensitively alive to his own loss of popularity, and haunted by painful recollections of what he had endured when, ten years before, he had felt himself compelled to oppose the party with whom he had long acted, he looked forward to the coming Session with sadness and sickness of heart. It may be truly said that during the fortnight which elapsed between the 6th and 20th of December, he was a happier man than he had been for some time. Loving power as he did, and inured to work as he had become, he would not under ordinary circumstances have wished to abandon office. But the circumstances were not ordinary; the time was out of joint; and the spell was broken, whereby the

system of rule initiated in 1841, had hitherto been held together. To him it was ominous that the friend, with whom, before and above all other men, he had taken counsel in quitting the Whig Government of 1834, in standing aloof for a time from both parties, in entering the ranks of Conservative opposition, and finally, in forming a Conservative Cabinet, should now for the first time part company with him, and that in consequence of a disagreement, which he foresaw must infallibly bring them ere long into open antagonism. To the world it was not his way to disclose his feelings. He maintained throughout that cold and somewhat haughty bearing, which he found to be the best defensive armour against common-place intrusiveness. He thought it right, moreover, to encourage those around him; and to sustain as before the dignity of his position, by careful abstinence from the betrayal of any symptom of weakness. Nevertheless, his caution was not always wakeful enough to baffle the inexorable scrutiny of those, who from this day forth saw in him, as they phrased it, "the chief offender." They believed that he had bewitched more than one of his colleagues, and that but for his malign influence, Sir R. Peel would never have a second time broken faith, as they termed it, with his party. In a certain sense these imputations unquestionably were true; but the consciousness of their truth was but a bitter consolation. 1845.

1845. Danger of famine disbelieved.

The real extent of the potato blight was still unknown, and its probable or possible consequences were beyond the reach of the most far-sighted political ken. The oat crop in Ireland had proved abundant; and that of wheat throughout the United Kingdom was an average yield. The markets did not rise as had been anticipated; and though a season of more than usual distress was apprehended, in several Scotch and English counties, and in the greater part of Ireland, it could not be said that anything like famine had actually set in. "It was," said Lord Stanley, "an utterly baseless vision, which haunted the imagination and disturbed the judgment of the Government. Destitution among the cottiers and small farmers of Ireland there undoubtedly was, caused by the failure of the potato crop; but this, he conceived, was a kind of distress, upon which a repeal of the Corn Laws would have no more effect, than if they were to pass a law which should reduce the price of pine apples. The evil to these people was not that corn was dear, or potatoes dear; but that having invested their labour in the cultivation of a small plot of ground, when the produce of that plot failed, they had no waged labour to look to: their stock of provisions was gone, and they had no prospect of obtaining money to replace it." * His opinion was, that opening the

* Debate on second reading of Corn Importation Bill in the Lords, May, 1846.

ports would aggravate, rather than mitigate, the distress of this class, by lowering the price of oats, and thus diminishing their means of purchasing other necessaries of life. He would have agreed however to waive his objection to a measure of this kind if it was meant to be only temporary. But neither the Premier nor any one else could give such a guarantee. Mr Cobden had publicly said, that if the League could only persuade Government to open the ports, he would undertake that they never should close them again: and looking at all the circumstances of the case, Sir R. Peel and Sir J. Graham felt that he was in a condition to keep his word. Mr De Laine asked Lord Aberdeen if he thought it was true, that after a suspension of six months, the corn duties could not be restored; and the answer he got was to the effect, that neither the existing nor any possible Administration could venture to attempt it. Lord Stanley thought otherwise; and it was upon this ground that he resisted the proposal to throw open the ports; to suspend the corn duties by Order in Council with a view to their permanent abolition by Parliament; and that, finding himself almost alone in the opinion, he had retired from the Cabinet. Nearly the same view of the nature and cause of the distress was expressed in terms equally characteristic, by Father Mathew, in a private letter to the Secretary for the Home Department. 1845.

1846. "HONOURED DEAR SIR JAMES,

Letter of Father Mathew.

"It may appear presumption in me, to imagine that I can impart any additional useful information, with respect to the destitute state of the great body of the Irish people. But you will not, I hope, be displeased with me for intruding a minute or two upon your leisure. What is asserted, and truly, of the abundance of corn, and even of potatoes in our markets, whilst the cry of famine is raised throughout the land, may appear paradoxical. The fatal cause of this deplorable state of things is the fact, that the poor man's potatoes, generally speaking, have perished; whilst the large farmer's crop has escaped the blight, or at least only partially suffered. As this latter tilled potatoes not only for his own use, but also for the market, he has still enough and to spare. The labourer, or poor con-acre man, planted only what would barely supply his own wants; and these he put down at the latest possible period, to avoid the danger of spring frosts; for he could not expose his all to risk by early sowing. Consequently when the unexpected and fatal frost fell early in September on his unripe potatoes, all vegetation ceased; and his crop, as is the case with all unripe vegetables, began to decay as soon as dug. The extensive farmer planted early, and the crop was ripe when nipped by the frost, and suffered very little damage. But the abundant supply of food in our markets, is of no avail to the poor labourer, whose all, his potato crop, has failed. It was his whole dependence to feed his family, pay the rent of the con-acre, and fatten his pig. If the finest wheat flour was for a penny a pound, and potatoes and fresh meat equally cheap, he has not a penny to make the purchase. If you give him labour, he and his family can live, to use the adage, 'from

hand to mouth.' With great diffidence I take the liberty to suggest, that every labourer or poor con-acre man, who has lost his potatoes, should be considered a pauper, and the Relief Committees throughout the country empowered to give him food gratis, so that he may devote his labour to the making a provision for his family for the next year, otherwise the same distress will prevail for another season. I would also humbly remark, that as the maize flour about to be distributed, is the free gift of her Majesty's benevolent Government, it should be given in a generous spirit, and with no view to the prevention of loss of capital; private speculators could afford with a profit, at the present price of Indian corn, to sell the flour at one penny per pound. It would be a noble act to allow the Poor Relief Committees to sell it for one halfpenny per pound. * * * *

1846.

"The deep solicitude I feel for the success of your most humane measures for the relief of my unhappy countrymen, will, I anxiously hope, excuse the liberty I have taken.

"With sentiments of the most profound respect,

"I have the honour to be,

"Hon. dear Sir James Graham,

"Your devoted servant,

"THEOBALD MATHEW." *

The Sliding Scale wont slide.

The writer of the foregoing letter felt himself bound to plead in his own earnest and gentle way for the community whose condition he thoroughly understood; but he was no politician, and never ventured to give advice on matters of legislation. Far from being adverse to free trade, his sympathies

* This letter is dated 4th April, 1846.

1846. instinctively bade him desire it, but he uniformly confined his observations to matters connected with immediate relief, and, as will be perceived, without troubling himself with the consideration of economical consequences. But Ministers could not so easily acquit themselves of their responsibility. They would be justly held accountable for the results of ill-devised remedies, as well as for neglect in providing those that were sound. They had to care for the morrow as well as for the day; and for the effect upon the revenue, if they suffered dearth or the fear of dearth to assail large classes of the community, who as yet apprehended it not. They had for some time marked with care, the vibrations of the index-hand of their lately modified sliding scale: but they soon found that all it could tell them, was practically worth nothing. Its boasted machinery, recently filed and oiled and set in motion, had gone well in the sunshine of the last three years; but in the hour of trial it wholly failed, and would hardly move at all. After bread had risen considerably in price, and the quartern loaf was selling at from ninepence to tenpence, the averages stuck fast at a point, which kept the duty on foreign corn at 14*s.* or 15*s.* a quarter. As Sir James said, "the sliding scale would neither slide nor move; and that was its condemnation." * The average price of wheat which

It is not unworthy of note, that during the remaining months of its condemned existence, the law of 1842 continued

the nation could afford to pay, when all other staples of food were abundant, became intolerable when the greatest of them was half lost, and when its future replenishment grew doubtful. What then was to be done? Government had not indeed overlooked the urgent need of providing relief for present necessities. Early in October an order had been secretly given for £100,000 worth of Indian corn; and the vessels which bore it from America had actually begun to unlade in the southern harbours of Ireland before a rumour of the fact was heard. A measure was likewise prepared for the further extension of public works, which obtained the sanction of Parliament immediately after its re-assembling. Means were taken to encourage the formation of relief committees throughout the distressed districts; and many expedients were resorted to for stimulating employment. The sudden and indiscriminate concession of out-door relief, under the permanent poor law, which was called for by many humane persons in Ireland, was regarded indeed by Ministers as unwise because unnecessary; and they were willing to incur the reproach of hard-heartedness, and incapacity to understand the real nature of the 1846.

to be practically inoperative, for the purpose for which it had been designed. In December the average price of wheat was 61*s.* 4*d.*; in January 56*s.* 8*d.*; in February 59*s.* 6*d.*; in March 54*s.* 8*d.*; in April 58*s.* 2*d.*; in May 59*s.*; and in June 55*s.* 3*d.*

1846. exigency, sooner than open the flood-gates of general pauperism. They felt that they were bound if possible not to let the people starve; but they believed that beyond the performance of that duty they had no right to go. They knew that it was a difficult and dangerous path to tread; but they trod it firmly, and the result rewarded their self-possession. In the correspondence of Sir James, during the spring of 1846, there are abundant proofs of the anxiety with which he watched the working of what may be called the experimental measures of relief, adopted in Ireland; and of his ever-present consciousness, that the evil might become so aggravated as to render all ordinary considerations of caution and reserve inapplicable. The aggravation did eventually come, but not in his time: and he always recollected with satisfaction, that he and his colleagues had steadily refused to yield to importunities, which were often hard to resist.

Resistance to out-door relief.

They lay indeed under the strongest political temptation to take a different course. In the interval that elapsed between their re-appointment to office and the development of their contemplated measures in Parliament, the conviction arose on all sides, that some great change in legislation had become inevitable; and that the Whigs, having suffered the proffered reins to slip from their grasp, Peel had now the whip-hand of all opposition, and would at length drive on. The prevalent belief

found perhaps no better expression than in the graphic sketch, with which on Christmas Eve *Punch* presented his readers. A boy in smock-frock was depicted, opening the farm-gate of Protection with one hand, and touching his hat with the other, to an unseen figure of Mr Cobden, waving the flag of Free Trade, whose approaching shadow was cast on the road-way. But the feeling was at the same time universal, that it behoved the men, who had come in upon the cry of Protection to Native Agriculture, to make out a clear and unanswerable case, in justification of their retaining office and repealing the Corn Laws. No justification could have been so unanswerable, as that which they were urged to create, by the official confession that Ireland was in a state of starvation. Destitution and dearth there was; but starvation as yet there was not: and because there was not, they inflexibly refused to inflict famine rates upon Ireland, though daily besought to do so. At the same time, they unfalteringly prepared to endure the reproach of proposing to Parliament the repeal of the Corn Laws, without prematurely pointing to the spectre in form as palpable, as that which fear believed it saw. 1846.

In the speech from the Throne the great measure was announced; and Sir R. Peel lost no time in avowing his altered convictions, and declaring his conversion to the indispensability of further change. The storm of disappointment and denuncia- The Corn Law abandoned.

1846. tion burst forth, with no less violence than had been expected; yet some still doubted whether it might not after all be possible for the Premier to do enough to satisfy the actual need of the hour, without irretrievably destroying his parliamentary position. Sooner than break up their party, men who had voted for two reformed tariffs, and forgiven a Maynooth bill, might, it was said, gulp a further change of the sliding scale,—if but a rag of consistency were left them to point to, or a show of physical necessity were clearly made out. But whatever county members and occupants of small borough seats might do, or think, or say, Sir James had made up his mind to defend a Corn Law no more, so had Lord Aberdeen, and so likewise had Sir Robert Peel. It was his first thought, and it was his last. He had been led away by political feeling into defending Mr Huskisson's Act, on grounds which its author would certainly not have relied on; and in the eagerness of his groundless alarm in 1834 and 1838, as to the tendencies of things around him towards subversive change, he had appealed to the prejudices and passions of a class, rather than to arguments fitted to sway the public reason. But from the day he returned to office, he steadily and perseveringly strove to bring himself and others back to sounder principles. He could not have retained his influence or position, had he refused to concur with Sir R. Peel in gradually liberalizing the tariff; and it

is certain that even at the moment when his sceptical and sarcastic tone gave most offence to free trade deputations, he was occupied with thoughts very different from those which they ascribed to him. He regretted deeply the lengths he had gone upon one or two occasions on this subject when in opposition, and we have seen how, from the outset of the Peel Government, he endeavoured to open the eyes of its supporters to the impracticability of ultimate resistance to the policy of free competition. But they would not hear or believe; and he had now to pay the penalty of his former errors. Sentence after sentence, and phrase upon phrase, which had fallen from him in the heat of rhetorical indiscretion, in the days when he sat upon the left of the Speaker's chair, was now dug up out of "Hansard," and flung at him by exasperated Protectionists, amid the angry cheers of those around him, and the loud laughter of those opposite. But he had anticipated this, and had made up his mind how to deal with it. When challenged by Mr Stafford to say whether or not he had changed his opinion, he replied,— 1846. 10th Feb.

"I freely admit that past declarations of opinions made by members of the House, who have subsequently arrived at power, or who aspire to power, much more the declarations made by the first Minister of the Crown, if at all at variance with the course which he has subsequently pursued, are subjects worthy of reference, and which call for explanation. The hon. member for Northamptonshire made a direct appeal Hansard disposed of.

1846. to the Government, and challenged us, if we had changed our opinions, manfully to own it. I answer that challenge. I do frankly avow my change of opinion, and by that avowal I dispose of whole volumes of Hansard, and of all the charges which have been made on the ground of inconsistency. * * * What are the tests by which a change of opinion on the part of a particular member must be tried? The first test which should be applied is this,—does the change of opinion promote his personal interest? Perhaps, under the circumstances, I may be allowed to refer to my personal position. All that I possess is that which I possess as a landlord. I have nothing to hope or to obtain, except from the possession of landed property. I have inherited that property; and I may add that it is a large tract of land of inferior quality, and I congratulate myself, that by my position as a landlord, if the proposed change be dangerous, it exposes me to as great risks as any landed proprietor in the three kingdoms. So much with respect to my personal position. Now, as a Minister of the Crown, allow me to ask you to apply a test equally conclusive. Does the change of opinion on the part of a Minister of the Crown increase his strength, or consolidate his power? Can there be a doubt, after the unhappy scenes which we have witnessed, during the two last evenings, in the conduct of the debate on this side of the House, that my right hon. friend, before the commencement of this Session being (as is allowed) a leader of great talent, possessing the confidence of a great party, and wielding immense influence out of the House, has lost that confidence, has, as it is now said, almost dissolved that party, by the conduct which he, from a sense of public duty, has pursued? I will try another test, and it shall be the last. Has the Minister, by a change of opinion, acted unfairly

towards his political adversaries, and availed himself of that change of opinion to exclude them from office? I think it is not expedient at this time to touch further on the subject I am about to mention; but I will say this, my right hon. friend, with my entire concurrence, frankly tendered to her Majesty the office which he held, as the head of the Administration. I concurred in that resignation, and I can truly and sincerely say, it was my earnest desire that this measure should be brought forward by the noble Lord opposite, in whose hands I think it would have been more properly placed. I state this opinion unfeignedly and frankly. I thought, after all that has occurred, it would have been better for the public, and better for public men, if what has been proposed, as it has become our duty now to propose it, had been brought forward by the noble Lord opposite; and I may say, and I am sure the noble Lord will bear testimony to the truth of what I am saying, that both in writing and verbally, I assured the noble Lord, that if he, as a Minister, brought forward a measure, such as was indicated in his letter to his constituents of London, I, as a private Member of Parliament, would give that measure my frank and cordial support." 1846.

Adverting to the sneers in which some had indulged, at legislation being based on the mere conclusions of political economy, he declared that "in his view, the true object of political economy was not the greater accumulation but the better distribution of wealth, and the application of capital to industry, on principles which science and experience should have proved, to be conducive to the happiness and welfare of the greatest number. What better rule they

True object of political economy.

1846. could have in legislation he did not know. The circumstances of the country now demanded a great and important change; and he was free to own that but for the unlooked-for calamity which had befallen them, he would willingly have seen it deferred somewhat longer: for he had always argued against sudden and sweeping alterations, involving as they did the risk of injuriously displacing capital and labour. But it was not true to say that the adoption of a free trade policy had taken the country by surprise. He referred to the expressions he had himself used in former debates, in resisting what he deemed the premature abrogation of the sliding scale; but he contended, that when it became necessary to provide a great portion of the people of Ireland with means out of the public exchequer to purchase food, it was impossible to maintain an import duty on corn. To give such aid to the Irish people, and at the same time to enhance the price of the food of the great community, who contributed towards the taxes of the empire, and who by their hard industry were only able to pay those taxes, living themselves in some instances on potatoes,—was a proposition which he never could have maintained as a Minister. It was in his judgment absolutely necessary to suspend the operation of the law, and he foresaw the necessity, if they once suspended the law, of abolishing it. The experience he had had while in office, of the opposite effects produced by low wages and

dear bread, and of high wages and cheap food, had convinced him that the rate of wages did not follow the price of provisions; but that, in point of fact, the relation of the two things to one another was in that of an inverse ratio." He drew a striking picture of the dangerous and deplorable condition of the manufacturing districts, in 1842 and 1843, when work was scarce, and bread was dear; and then in contrast painted the comparatively happy state of things which had succeeded in 1844 and 1845, when wages had risen, and provisions had fallen in price. "It had been said that political ties were severed, that social relations were disturbed by this proposal, and it was possible that an Administration would in consequence be dissolved. But although he should regret the former portion of these consequences, he had the consolation of believing in his conscience that this proposal would rescue a great and powerful nation from anarchy, from misery, and from ruin." It is needless to dwell upon the protracted discussion, which occupied Parliament with little interval during the three ensuing months. It was in truth one long debate upon the question of confidence in the Administration, and every topic, however casual or apparently unconnected with the subject of the Corn Laws, furnished occasion for some new form of invective, or a theme for exultation on the part of those who approved of the contemplated change. The Tory Opposition found leaders in Lord George Bentinck, Mr Disraeli, 1846.

1846. and Mr Shaw. Although for many years a member of
Lord George Bentinck. the House of Commons, Lord George had seldom taken any active part in its proceedings. His early opinions were Whig; but except during the brief term of Mr Canning's Administration, when he acted as private secretary to his illustrious relative, he had never troubled himself with political cares, or shown any solicitude about the fate of parties. He was one of the Seceders in 1834, and always regarded Lord Stanley as his parliamentary leader. His hatred of Sir Robert Peel was intense, but it was personal, not political, and originated in resentment at the unjust and ungenerous treatment experienced by Mr Canning. Sir James and he had always been good friends, though their habits and pursuits were very different: and of late they seldom met, save in the House of Commons. Lord George was the last man whom the Home Secretary expected to find among his assailants in debate, and his surprise was great upon the first occasion of his assuming the tone of a political leader. He had too clear an insight into character, however, to misread the meaning of such a step; and while others were disposed to carp at the faults of manner, and errors of judgment, betrayed by the member for Lynn, Sir James thought only of the depth of the political feeling, indicated by the sudden transformation of his early Newmarket friend into an indefatigable and inveterate partizan. He knew him well, and from the first entertained the convic-

tion that by dint of will he would conquer all the obstacles wherewith the want of parliamentary training strewed his way; and he foresaw that ere long he would occupy a prominent and important position. Lord George devoted himself in 1846 to the exposure and punishment, as he phrased it, of the great impostor at the head of the Government; and he seldom went out of his way to attack its other members. Nevertheless he was far too much in earnest to spare an old friend, when the cause he had undertaken to maintain, was in jeopardy. 1846.

No little amusement was caused by the presentation by him of a petition against the Corn Importation Bill from certain tenant farmers of Netherby. A fortnight later, Mr Cobden, amid cheers and counter-cheers, presented another petition from tenant-farmers on the same estate, praying Parliament to pass the bill. Sir James "assured the House that he was in no way cognizant either of that petition, or of the one which had been presented by the noble member for Lynn, from a portion of his tenantry taking opposite views of the same question. It was needless for him to say, that neither directly nor indirectly, by himself or by any of his agents, had he interfered in the slightest or in the most remote degree with the expression of the opinion of his tenantry on the subject. He had left them on this, as on other occasions, to exercise their own free judgment; feeling that they, as tenants, had as deep an interest

27th March. Petitions from tenants of Netherby estate.

1846. in this matter as he had as a landlord, and that they, equally with himself, were entitled to pursue the course which was dictated by their honest convictions. And although it would be affectation in him to dissemble the fact, that he was deeply moved by many things which had been said in the course of the debate, by gentlemen whose good opinion he highly valued, yet steadily, firmly, and fearlessly, he hoped to be enabled to discharge that public duty which he had undertaken. He should unflinchingly persevere in his course, and he was consoled by this single reflection, that in his belief, the time was not far distant, when the country gentlemen of England would be satisfied that Ministers had not betrayed their interests, and that their welfare and prosperity would hereafter be reconciled, in fact and in opinion, with the interests of the great body of the community, whose peace, contentment, and whose more easy means of existence, it was the object of the Bill to promote."

Altercation with Mr Shaw.

One of the most painful incidents of the struggle was an altercation which arose between the Home Secretary and Mr Shaw. On the Maynooth bill, and still more on the great question which now engrossed attention, the learned Recorder of Dublin had objected strongly to the course taken by Sir R. Peel; and he had intimated plainly his conviction, that the adviser who contributed most to lead him astray was the Home Secretary. In reply to an attack, whose pun-

gency and point it was impossible not to feel, Sir James was betrayed into the insinuation of motives of a personal nature, to which he attributed the vehemence of Mr Shaw's opposition. A question had been raised some years before, regarding the retiring pension of the Recordership, on which the opinion of the Home Office differed from that of the Irish Government. But the matter had been allowed to drop without comment or complaint from the person supposed to be most interested; and no attempt had ever been made to revive it. Though formerly much consulted by the Duke of Wellington and Sir R. Peel, Mr Shaw had always declined accepting political office. Yet to disappointment on both these heads the Secretary for the Home Department not obscurely ascribed the bitterness of his recent language. Mr Shaw having spoken, could not at the moment reply, but the feeling of the House went cordially with him, when, on the following day, he entered into a full vindication of his personal and political conduct. The exasperation between parties had become extreme, and it is hard to say which side was least disposed to give quarter. 1846.

Lord Stanley recognized as Tory leader.

While abstaining from all participation in the attacks on his late colleagues, Lord Stanley told the Duke of Wellington, that "confidence had been so shaken in Sir R. Peel, that in spite of his pre-eminent abilities and great services, he could never re-unite the party under his guidance; nor did he see any one

1846. in the House of Commons of sufficient ability and influence to do so. Whatever might be the result of the Corn Bill, the days of the existing Government were numbered. A Protection Government could not be formed; and a Whig Administration was certain to ensue upon the overthrow of Sir R. Peel's Cabinet; and in the existence of such an Administration, he saw the only chance of re-uniting in opposition the great Conservative party, and training the House of Commons members of it to the conduct of public business. While the existing Government lasted, the Conservatives would be disunited and discontented. If it were possible, which he thought it was not, to form a Protection Government, they would be separated from that section of the party which had adhered to Peel; but in opposition, both sections would again rally, forgetting past differences; and in the Upper House, following as readily as before the Duke's lead, so long as he was able and willing to give them the benefit of his counsel and guidance. It was possible that he (Lord Stanley) might hereafter be called on to take a more active part, and though his personal wishes would lead him to withdraw as much as possible from politics, he supposed that, like others, he must obey the call."*

The Duke makes way for Lord Stanley.

The Duke in his reply, confessed that he feared Sir Robert had lost the confidence of the great body

* Letter 18th February, 1846; Gleig's Life of the Duke of Wellington, vol. iv. p. 134.

of Conservatives in Parliament; that he thought it of the utmost consequence they should again be united under some head; that for himself he had no thoughts of accepting in future the responsibility of such a position, and that Lord Stanley "would see that the stage was consequently clear and open for him." The Duke added, that though "he was, thank God, in as good health as he had been twenty years before, he was as much out of Lord Stanley's way as he contemplated the possibility that he might be when he had desired to be removed to the House of Lords [in 1845]. He rejoiced that Lord Stanley had done so. By his letter to the Queen of the 12th December, he [the Duke] had put an end to the connection between the Conservative party and himself, when the party would be in opposition to Government. Lord Stanley ought therefore to assume the station and exercise the influence which he, the Duke, had so long exercised in the House of Lords." * 1846.

Severance from Lord Stanley.

Thenceforth the formal deposition of Sir R. Peel was inevitable; and its occurrence was only a question of time, dependent on the passing of the Corn Bill. The political severance between Lord Stanley and Sir J. Graham was likewise rendered from this period complete. For twelve years they had acted together with a cordiality of sentiment, seldom equalled in the case of men with tastes and temperament so

* Letter from the Duke to Lord Stanley, 19 Feb., 1846.

1846. dissimilar. Their paths from this time diverged; and every day the difference between their views grew wider. It was to Sir James a source of deep regret; he seldom alluded to the circumstance, but never without manifest pain. There had never been in his mind any germ of jealousy towards Lord Stanley. While yet both were members of a Whig Cabinet, he had looked to him as the person whom he should most like to see occupying the post of leader. His admiration for the talents of his friend were unbounded; and he long believed him destined to be the successor of Sir R. Peel. For himself, he never cherished any aspiration of the kind; and when others would have flattered him subsequently with the suggestion of his fitness to hold the first place in affairs, he always put it aside in a way calculated to discourage its repetition.

Correspondence on Irish distress.

The remainder of his term of office was divided between a vigilant superintendence of the measures for the relief of distress, and the endeavour to carry through Parliament a number of Bills, to which he attached importance. On the 8th February, we find him writing with reference to the former.

"On mixed considerations of policy and of principle, we have determined not to adopt the suggestion of introducing into Ireland, in any shape, Out-door Relief to be levied by a Rate. * * * Mr —— desires under temporary pressure to extend the permanent operation of the Poor Law. For the sake of Ireland I dread any such extension; and I should be-

tray the great interests committed to my care, if I were hur- 1846.
ried by the impulse of the moment into the adoption of measures, which I know to be pernicious, and which, when once enacted, will not easily be repealed. If it should transpire, that any such proposal emanated from the Poor Law Commission, O'Connell would seize on it instantly; for in his sense it is more sweeping than Fixity of Tenure; and in the present temper of the English and Scotch members, they would not give one farthing of public money for the relief of Irish distress [except by way of advance] on this condition: but my belief is, such measures would undermine the British connection with Ireland, and while apparently they saved some English money, in the end they would entail irremediable mischief.

"You must postpone grants, *even in kind*, as long as you can; you must obtain as much of local contribution as you can extract from poverty and hard-heartedness combined; you must endeavour to induce the Lord Chancellor, on estates under Chancery management, to meet aids from the public purse, with donations from trust property; you must encourage public works to the utmost, and stimulate the general employment of labour; but avoid, above all things, any extension of the principle of the Poor Law, or any admission of the claim of the able-bodied to relief out of rate in any shape or under any disguise.

"Mr —— appears to me wild on this subject: he is most honest; but if left to himself he would ruin his own property, and all the landlords of Ireland into the bargain.

"I shall be glad to hear from you occasionally. I take the deepest interest in the measures which are necessary to encounter the present difficulty, without at the same time inflict-

1846. ing any permanent injury on Ireland. On the contrary, if the measures be well devised and steadily executed, they may be rendered conducive to the future welfare of that country. You are taking a prominent part in a most difficult operation of civil government, and success will amply reward all the anxiety and trouble."

This was the negative side of his policy; but there was also the positive. It entered not into his contemplation that the people should be suffered to starve; but in his view a great and exceptional calamity should be met by proportionate but exceptional means, and the permanent law of relief ought not to be strained, to endure a burthen it was never intended to bear. He wished that the sense of direct dependence upon the bounty of Government should be brought home to every poor man's door, and that he should be made to feel he was not forsaken in his hour of need. Between the free aid of the State thus temporarily given, and the initiation of a system of indiscriminate out-door relief under the Poor Law, he saw that there was the widest difference. He felt that the one was just and wise; he believed that the other would end in the ruin of industry and property, if introduced suddenly, and at a time of all others most unfortunate for trying the experiment. Therefore it was that he resisted all importunity to alter the law of local relief, and instituted instead a Relief Commission, to whom directions were given, to provide whatever amount of food in the distressed

Policy of exceptional relief.

districts might be found necessary, to stimulate the formation of local committees and charitable associations, to co-operate with each and every existing body that seemed disposed to bear help, and through the instrumentality of its own subordinates, to do in the name of the Executive, whatever the Poor Law or local charity should leave undone. The general idea of the scheme we have in his own words :— 1846.

"I hope in a day or two to send an official letter to the Lord-Lieutenant, which contains the details of the new arrangement of the functions of the [Relief] Commission. The relief rendered necessary in this temporary exigency, will be kept as much as possible distinct from Poor Law, and no permanent alteration of the law itself will be carried under cover of this passing necessity. I prefer however the investigation of alleged destitution on the spot; and that communications with local boards and committees on the subject of the relief to be granted, shall be conducted by Assistant Commissioners. * * * You had better be on the out-look for fit persons, either barristers or country gentlemen, who would hold *ad interim* appointments for this special service, which will be of short duration. Roman Catholics would have an advantage everywhere, except in the North of Ireland. * * * Our object is to limit aid to the utmost, to save the people from starving, but not to render reliance on the public purse an *attractive* habit. Want must be extreme and very *severe*, before gifts even in kind can be administered with prudence. Firmness therefore in resisting local pressure, and acuteness in ascertaining the real truth by inquiry amidst clouds of mis- Letter of 16th February.

1846. representation, are the qualities most necessary. You will not find them easily in Ireland; but I am unwilling to send over Englishmen, if it can be avoided. Let me hear from you, when you have seen my official letter, directing the reconstruction of the Commission, and freely point out any imperfections or errors in the arrangements which may occur to you. It is not possible to frame a faultless plan for an operation so anomalous and extraordinary, as that which we are suddenly driven to conduct."

Difficulty of meeting demands for food.

The difficulties of executing what was thus planned, proved greater than had been foreseen. Conflicting views formed generally upon very partial observation of the actual state of things impelled many, who meant well, to thwart and hinder rather than promote the organization which was required. Vague notions spread amongst the people, that the Government had undertaken to feed them: and when disappointed in the summary fulfilment of their expectations, they suspected those who were acting under orders, of negligence or caprice, and sometimes of still graver faults. The Relief Commission naturally acted with extreme reserve, when they knew that the demands which would be made on them were boundless, and frequently most importunate when the pressing need was least. Not much was done apparently during the first few weeks; and meantime what remained of the perishing food of the peasantry rapidly disappeared, and the long-dreaded horrors of famine seemed to be at hand. The Home

Secretary grew uneasy at the slow progress made in the realization of what he had designed; and he wrote confidentially on the 16th March to one whom he knew he could rely upon for accurate in formation:— 1846.

"The state of affairs in Ireland begins to give me much anxiety. I have endeavoured by timely and minute instructions to provide for this emergency, which I had long foreseen; but I fear that the execution of these instructions has been postponed, and that the previous arrangements, which I had hoped would have been completed before the pressure of famine came upon us, will be outstripped by the rapid advance of this calamity. The credit given to the Irish Government in various shapes is ample. The amendments suggested for enlarging the powers of the Public Works Acts have become law. If additional means are wanting, we are ready to supply them. In the course of this week, I hope to pass the Fever Bill: but we still hear of increasing distress, and as yet of no active assistance from public funds for its relief. Have the depôts been established of Indian corn and grain to be given in exchange for a task of work? Have the precautions been taken which I pointed out in my letter of the 26th of November, for securing a supply of seed potatoes? Have those instructions generally been executed? If not, what better measures have been adopted in their stead? I wish to hear from you, how matters really stand at the present moment. It is vain to send instructions from hence. Everything depends on the vigour and promptitude with which they are executed. I am afraid that there is some hitch in the execution, the precise nature of which I have been unable to ascertain: for it appears to me that we have endless writings and deliberations, but nothing is done, and no relief or pecu-

1846. niary assistance has as yet been practically given. 'Pray explain to me confidentially what is the cause of this delay; and suggest to me the measures which are necessary to obviate it. We shall be brought to disgrace, if any general calamity ensue, and if we are found still unprepared.

"Pray let me hear from you without delay, and state fully your opinion both as to what has been done, and as to what ought to be done.

"You may be certain that I will make no improper use of the most free communication of your opinion."

Motion of Mr Poulett Scrope.

In the House of Commons the same arguments were urged as had been used out-of-doors in favour of out-door relief under the Poor Law; and Mr Poulett Scrope moved, as an instruction to the Committee on the Fever Bill, that the Guardians be empowered to give relief in food to all who might require it, as the best means of preventing the spread of fever. The Home Secretary entered at great length into the policy of the Government. They were prepared to ask for votes of upwards of £400,000 to be spent in wages for works of various kinds of improvement. They had taken steps to secure a supply of Indian corn where it was most needed; and the Fever Bill would provide promptly the means of relieving the misery caused by epidemic disease. How ought the expense of all these measures to be met? His belief was that the evils, however great, were temporary, and if temporary, they ought to be met by a temporary

remedy. He said they ought to be met by aid from the public exchequer. It was not aid from England; it was not generosity: he denied that altogether. Ireland contributed to the general taxation; and when the peculiar circumstances of that country were considered, it must be allowed that she contributed her fair and just quota. Her misfortune ought to be alleviated by assistance from the public purse. It was not a dole given by England to Ireland. It was from the resources of the United Kingdom, of which she was an integral part, that aid was to come. He hoped that the spirit evinced by the United Parliament would have its effect upon the mind of Ireland. It had been said by some that England's infirmity was Ireland's opportunity. It would not hereafter be denied, he hoped, that Ireland's infirmity had proved to be England's opportunity. An eager sympathy had been shown in England for her sufferings, and an earnest desire to allay them. He strongly objected, however, to altering permanently the Irish Poor Law, and throwing upon local rates the entire burthen of relief, at a season of unlooked-for pressure. Some had suggested a Labour Rate, others out-door relief in the shape of food: but either would be most unwise. For centuries the right of the able-bodied to relief had existed in England; but hitherto it was unknown in Ireland. Alms-giving, as a practice, was encouraged by the Roman Catholic religion to a great extent; and 1846.

1846. unmarried priests had devoted the chief part of their lives to visiting the sick and relieving the necessitous. But regard ought to be had to the differences and peculiarities of the two countries before legislating in the same way for both. His conviction was, that if at such a time a total change were made in the mode and extent of local relief, the consequences would be a great aggravation of the mischief they meant to allay. If they lifted the flood-gates of local relief, a torrent of pauperism would overflow the land; and the effects would be not only destructive of the interests of the owners of property, but of the moral habits of the labouring population.

Support of subordinates in office.

While urgent and anxious, he was not disposed to undervalue the exertions that were made, when he understood what had been done; or inconsiderate in dealing with those who were placed in a most difficult position. On the contrary, he seemed to take especial pleasure in "backing up," as he used to call it, "every man who he saw had the heart and head to do his duty;" and he sought to make him feel that he would be sustained thoroughly and cordially, whenever he was in the right. A fortnight later he wrote,—

"All the recent arrangements which have been made in Dublin appear to me judicious; and I hope that the Fever Bill, which I have extended in conformity with your advice, will work well. The Board is constituted exactly as I could have wished. * * * You have decided rightly in appoint-

ing Mr Ball; and if Mr Sharman Crawford's son be as honest as his father, he will serve you faithfully. Before you finally decide, you might consult Lord Lincoln confidentially. Your letters to me are useful; and I have pleasure in hearing from you. From time to time let me know how you are going on. I am well aware, however, of the pressure on your time." 1846.

The system of extra relief, once fairly set in motion, answered its purpose well. It did not, and could not, prevent wide-spread suffering; and it had not promised to do so. But it afforded for the time being, a provident mitigation of many evils; and before quitting office, Sir James had the satisfaction of congratulating those who were locally engaged in a difficult task, upon its general success.

"I am obliged to you for your letter, which anticipated my wishes, and which contains the exact information I required.

"It is some consolation to hope that our efforts have not been fruitless, and that they have mitigated a great national misfortune. The difficulties, however, are not surmounted; and the time is approaching when more permanent remedies must be applied. In the mean while your exertions must not be relaxed." &c. &c.

Abuses in Andover Workhouse.

Every pause in the protracted discussions of the Corn Importation Bill, was filled up with controversies of minor moment, but not always of less asperity. For every local abuse the Home Secretary was called to account; and for every case of aggravated local distress it was sought to make him responsible. In

1846. reply to a question put by Mr Wakley, at the close of the previous Session, as to the employment of the inmates of the workhouse at Andover, in crushing bones, a species of work out of which the most repulsive and painful practices were said to have arisen, — he had expressed his unwillingness to believe that anything of the kind existed; but added that he should not lose an hour in making the fullest inquiry. He had accordingly sent for the Assistant Commissioner of the district, and personally interrogated him on the subject. He found, to his surprise, that the practice complained of, extensively prevailed in the Southern counties; and his first impulse was to direct the issue of an immediate order for its suppression. One of the chief Commissioners, who happened to be present at the interview, suggested that the sudden suppression of the practice was likely to be unpopular with the guardians of many agricultural Unions, where bone dust was valued highly for manure. Sir James overruled this objection; and insisted that public feeling would never suffer such a mode of workhouse employment to be continued. It was in consequence interdicted thenceforth universally. In the progress of the inquiry, however, much conflict of opinion and much controversy as to matters of fact arose, between the central and local authorities; the master of the workhouse at Andover was dismissed, and subsequently the Assistant Commissioner. Ascribing his removal to a sug-

gestion from the Home Office (in which he was wholly mistaken), Mr Parker placed in the hands of his friends his own version of the affair, in which he gave extracts from confidential papers; and when the subject came before the House on the 5th March, he authorized Mr Christie to read a minute he had privately made, of the alleged conversation at the Home Office before referred to, wherein he averred that Sir James had, in the presence of Sir E. Head, proposed to suppress the fact of his having received a written report, proving the sanction given by the Poor Law Board to the practice of crushing bones by pauper labour; and further, that he had undertaken to tell the House of Commons that the report he had received was an oral one. In the temper of men's minds at the moment there were no charges, however improbable, that would not have been eagerly caught at. The imputation of official falsehood was boisterously cheered, and the air of contemptuous indifference with which it was met by the Minister, inflamed the bitterness of his assailants. He replied disdainfully, that his memory contained no trace whatever of the words attributed to him; but that reference might be made to Sir Edmund Head, who was present on the occasion. He took for granted, the word of no man holding the position of Secretary of State, would be lightly questioned by the House, if for no other reason than the somewhat serious difficulty they would find in the 1846.

1846. transaction of any portion of the public business, if the opposite presumption were entertained; and finally, that upon the propriety or fairness of producing publicly, a note of a confidential conversation that had taken place some months before, without notice, or giving him the opportunity of consulting the only other person who was said to be present, he should not stoop to comment. A long and dreary night was wasted in discussing Mr Etwall's motion for a committee, and an amendment by Mr Christie—that the cause of Mr Parker's removal should be inquired into. To the former Sir James assented; the latter he withstood as interfering with the discretion of the Poor Law Commissioners, and thereby relieving them from a part of their executive responsibility. It was however carried in a thin House by a majority of twenty-three, the Whigs voting in the minority. Sir E. Head, on being referred to, denied the accuracy of the version given of the conversation, and cleared the Home Secretary from the imputations cast upon him. Mr Christie subsequently expressed his regret for the charges he had been induced to make on the authority of Mr Parker; and Sir James said that he should henceforth dismiss the matter from his recollection.

Death of the Rev. R. Matthews.

Amid the cares and distractions of official and parliamentary life, the news reached him from Cumberland, that his once intimate and still honoured

friend, the Rev. R. Matthews, was no more. To his surviving sister Sir James addressed the following letter of condolence:— 1846.

"Whitehall, 1st April, 1846.

"MY DEAR MADAM,—

"I cannot fail to offer to you my sincere and heartfelt condolence on the death of your lamented brother.

"Of late years I have been deprived of the pleasure of his society: but no length of time or change of circumstances has abated in the least my respect for his character: and I remember with mournful pleasure the many happy days which I have passed in his company, at your hospitable house.

"I hear also that our old friend Dr Fletcher is no more. The loss of two such men in one neighbourhood, in so short a time, is quite irreparable. You will pardon me for thus obtruding on you: but I could not bear the thought that you should believe I was indifferent to the loss of so kind a friend as your late brother.

"I am, with sincere regard,
"My dear Madam,
"Yours very faithfully,
"J. R. G. GRAHAM."

He also wrote to Mrs Fletcher a kind and touching letter of condolence, in which he recalled the happy days spent under her roof. A monument in bronze, by Hardman, in the Cathedral of Carlisle, records the features of the worthy chancellor, and preserves the memory of his unobtrusive worth. Death of Dr Fletcher.

The second reading of the Corn Bill in the

1846. House of Lords, as had been foretold in the *Times*, was moved by the Duke of Wellington. It was his last act as leader of the Conservative party; and opposed though it was to the feelings of the great majority of those who for many years had been swayed by his counsel, he was nevertheless able to secure its success. There appeared on the division to be 211 in favour of the measure, and but 164 against it. Thus ended one of the greatest controversies recorded in our parliamentary annals. The Protectionists were defeated, as they said, because they had been betrayed; and they lost no time in exacting the penalty which they regarded as due.

First reading of Protection to Life Bill.

In March, Government had asked the sanction of the Commons to a measure for the more effectual Protection of Life in Ireland, which, with few dissentients, had already been passed by the Lords. During 1845, agrarian crime had fearfully increased in several counties, while the residue of the country remained peaceable. Reverting to the ancient principle of Saxon law, whereby a disorderly hundred or bailiwick was amerced as a penalty for its offences, as well as to provide means of compensation for the sufferers,—Ministers proposed that the Lord-Lieutenant should have power to proclaim any district where agrarianism prevailed, and to charge the expense of additional stipendiary magistrates and police upon the occupiers of land therein. In addition to this penal assessment, the land-holders of the

disturbed locality, were likewise to be held liable to pay compensation to the families of those whose persons or properties had been injured. There was also a clause, prohibiting persons from being out of their dwellings during the night without sufficient cause. The Home Secretary introduced the measure, as one which Government would fain have avoided, but which the earnest importunities of men of all classes in Ireland, and their own conviction of public duty, forbade them to withhold. For five years they had governed the country without asking for any extraordinary powers. Those they now asked for were, he owned with deep regret, unusual and extra-constitutional. But what were they to do? The lives of persons of all ranks and of all creeds were daily placed in jeopardy. Politics and religion seemed to have nothing to do with the wild work of revenge; and neither social worth nor party leanings appeared to make any difference in the fate of the secretly condemned. He cited many painful instances; and asked whether any Administration would be justified in permitting such a state of things to continue, without making some attempt to control it? As compared with the Coercion Act of 1833, the provisions of the bill must be admitted to be mild. The ordinary tribunals would still dispose of every accusation; and no man would be subjected to punishment, until condemned by a jury of his neighbours. Mr O'Connell admitted the 1846.

1846. candid and conciliatory tone of the right hon. baronet, but objected to the measure. While it sought to repress the consequences of agrarian discontent, it failed to touch the causes. He dwelt with much force and feeling, on the prevalence of wholesale eviction, and the oppressive misuse of power, as exercised in many instances, by the owners of land or their agents. Government had confessed, that but for the passions excited by agrarian grievances, Ireland must be regarded as tranquil. Three years before they had issued a commission, specially to inquire into the relations between landlord and tenant, but no legislation had taken place in consequence of its report. This was the seventh Coercion Act since the Union; it was surely time to try some remedial policy of a comprehensive nature. He would limit the landlords' power of eviction where leases did not exist; and he would extend to the whole of Ireland the tenant right of Ulster. Mr Osborne complimented the Home Secretary on the tone and temper of his speech; but declared himself averse from any further measure of coercion until some effectual attempt had been made to remove the grievances complained of by the peasantry. Mr Sydney Herbert defended the bill; and Lord J. Russell would not oppose the first reading, but left himself free as to the course he should take at a future stage, with regard to some of its more important provisions. The hint thus given was not

lost on the various mal-content sections, into which parties were then broken up: and in due time it ripened into action, fatal not only to the measure, but to the Administration. Lord George Bentinck and his friends supported the first reading, which was affirmed by 274 to 125. 1846.

Debate on the second reading.

The second reading was not moved by Lord Lincoln, Secretary for Ireland, till the 8th June. Sir W. Somerville then proposed the rejection of the bill upon the ground that it would not effect the end designed, and that Ministers by their dilatoriness in pressing it, had shown that they had no genuine conviction of its necessity. Mr Osborne, Mr Sheil, and other members having taken the same view, Lord George Bentinck announced on the part of himself and his friends, that though they would have been ready to redeem their pledge given before Easter, to support the measure if Government had satisfied them that they really believed it to be indispensable, they would not grant extra constitutional powers to men, who had given so little proof of sincerity. The bill had come down from the Lords on the 13th March. It was not read a first time until the 1st May; and since then nearly six weeks had elapsed, in which no further steps had been taken. He reviewed the course of public business, and charged Ministers with having suffered other matters beside the Corn Bill to be proceeded with. "They had shown no earnestness on the subject. The *casus*

1846. *fœderis* was therefore clear, and the time had come when he was no longer bound to give his support. "The sooner therefore they kicked out the bill, and her Majesty's Ministers with it, the better. He would have preferred an amendment, which took the shape of a direct vote of want of confidence; but if he could believe any pledge given by gentlemen on the Treasury bench, he must conclude, that when they found themselves no longer able to carry the Government measures, they would think it time to retire.

Lord George Bentinck's attack on Sir R. Peel.

The first Minister used to say that he would not consent to be a Minister on sufferance; but he must be blinded indeed by the flattery of those around him, if he had not learnt that he was now a Minister on sufferance, tossed from one side to the other, sometimes depending on hon. gentlemen opposite, sometimes depending on his (Lord G. Bentinck's) friends, supported cordially by none but his forty paid janisaries, and some seventy other renegades, one half of whom while they supported him, expressed their shame at doing so. When this was the state of the Government, it was high time for men to speak out, and to mark their sense of the conduct that had been pursued. Sir R. Peel had told them, that with regard to the repeal of the Corn Law, there was nothing humiliating in the course he had pursued; for that it would have been base and dishonest in him, and inconsistent with his duty to his Sovereign, if he had concealed his opinions after he had changed them; but

he (Lord G. Bentinck) had lived long enough, he was sorry to say, to remember, and to remember with deep and heartfelt sorrow, the time when Sir R. Peel chased and hunted an illustrious relative of his to death; and when he stated that he could not support his ministry, because he had changed no opinion, and could not therefore support a Government which would promote the carrying of Emancipation. Yet in 1829 he told the House, that he had changed his opinions on that subject in 1825, and that he had communicated that change of opinion to the Earl of Liverpool. The country he believed would not forgive the same crime twice, in the same man. A second time had the right hon. baronet insulted the honour of Parliament, and of the country; and it was now time that atonement should be made to the betrayed constituencies of the Empire. The time was come when those opposite, who had been glad to avail themselves of the treason while they despised the traitor, having secured the success of the measures they had consistently supported, would mark their sense of the course pursued by the Government, and would show that they, no more than he and his friends, approved of the conduct of Ministers." 1846.

The excitement caused by this outpouring of long-treasured resentment has seldom been equalled; and when Sir Robert Peel rose to reply, the political economy of the Corn Bill, and the prædial policy The Premier's defence.

1846. which was the nominal subject of debate, were for the moment forgotten; and men listened with breathless attention, to hear what the falling Minister had to say upon the personal question, that for nineteen years had in private been discussed by every politician in England, excepting him. His features painfully betrayed the depth of his emotion; and all his practised mastery of the art of outward equanimity, failed to disguise his nervous anxiety, during the utterance of his defence. This is not the place to discuss its merits; still more irrelevant would be any analysis of the further stages of the controversy, in which Mr Disraeli, as the friend of Lord George Bentinck, bore a memorable part. Few perhaps will dissent however from the opinion, that Sir R. Peel would have done better, had he met the charge with a simple and earnest denial, and appealed to the generosity and justice of those who heard him, to say whether it was fair, that he should thus be called on suddenly to defend his reputation, by one who had accepted his leadership, and called him political friend for many years. The good feeling of men of all parties would have gone with him in this; and the fact that Mr Canning's son actually held office under him, would have had its weight with them. But Sir R. Peel lived and died in the political faith as it is in Hansard, and out of that superstition, he could not move. Instead of striking out boldly and swimming for his life, he clutched in his agony at the floating shreds of his

own old speeches, and they sank under him. Men who loved him not, and who were filled with unspent anger at his recent change on the Corn Law, listened with pain and vexation to his elaborate pleadings against the probability of his having abetted the death of Mr Canning; and to his inferences, from the omission of particular words in a report corrected at the time by himself, that they had never been spoken.* On the other hand, there are names missing in the division list, of men who could not bring themselves to lend a seeming sanction to the implacable hate of Lord G. Bentinck, or to the ruthless language in which he gave vent to it. The episode however did not last long, and the perplexed and desultory discussion of prædial outrages, old coercion acts, ministerial inconsistencies, and party recriminations, was languidly resumed. The Whig leaders declared that they would vote against the bill; and Lord J. Russell, regarding the long account between parties on the subject of free trade as about to close, expressed his regret that the men, who in 1841 had driven him and his colleagues from power, for proposing an eight shilling duty, now that they were compelled to go so much further themselves, had not the grace to admit how much they had been in the wrong. He 1846.

* Mr Disraeli not only produced another report from the *Mirror of Parliament*, in which the alleged expressions occurred, but cited Sir E. Knatchbull's pointed reply in debate, which Sir R. Peel had forgotten.

1846. reverted especially to the speech of Sir J. Graham on the eve of Lord Melbourne's fall; and hoped that, though late, he would make amends for it. In reply to this appeal, Sir J. Graham said,—

Party recriminations.

"I have had the honour of a long acquaintance with the noble Lord, and I thought I fully appreciated his character. I knew him to be bold, and I had fancied that he was generous. I was slow to believe that in his bosom there was any dark recess where angry resentments were cherished, which lapse of time could not mitigate, and public duty could not restrain, when public interests required the sacrifice. I am still unwilling to believe that I have fallen into a mistake. But the noble Lord says that I am wanting in fairness—that while I have changed my opinions, I have not done justice to his former colleagues by withdrawing the language which I held when opposed to them. I am not prepared to defend any particular expressions which I may have used in debate. It is possible my opinions, honestly entertained, might have been conveyed in more appropriate language; but that I have done injustice to the noble Lord or his colleagues, I do not feel myself called upon to acknowledge. If I had felt that any such retraction was justly due, I should not be unwilling to make it. I am anxious to avoid saying a word that can tend to increase irritation or protract discussion; but when the noble Lord says that I, and those with whom I act, overthrew a Government whose principles and measures we subsequently adopted, he must permit me to remind him, that he overthrew the Government of Sir R. Peel, in 1835, by carrying a resolution in this House, in reference to the appropriation of the property of the Church of Ireland, or a certain portion of it, to secular

purposes; that he proposed when in office for some time, to act on the principle of that resolution; and that at last he abandoned it, in a manner which I will not characterize, because more severe expressions were applied to that abandonment, by some of those who are now followers of the noble Lord, than I should choose to employ. Then as to free trade in corn, though those with whom I act have changed their views on this particular doctrine, yet the noble Lord and those with whom he acts were as sudden converts, and under very suspicious circumstances. Let any gentleman read the speech of the right hon. member for Taunton of 1840, on Mr Ewart's motion as to sugar, and he will there see laid down, the distinction between free-labour and slave-labour sugar, more broadly and distinctly than it ever since has been. The acts of a Government must be taken in connection with the declarations of its chief. With regard to the free importation of corn, what were the declarations of Lord Melbourne? Did he not, up to the very last year of his Administration, contend that any change whatever was especially objectionable, and that the notion of introducing free trade in corn into this country, was to be regarded as insanity? It was not till Lord Melbourne's Government was on the eve of dissolution, when power had departed from it, that the principle of free trade was enunciated by them, as the principle of their Government: and there is this difference between the conduct of myself and my colleagues, and of the noble Lord and his colleagues,—we, in changing our views, have given effect to a principle, which we believe to be indispensably necessary to the welfare and happiness of the community, by the sacrifice of our personal interests and feelings, and by the sacrifice of power;—the noble Lord and his colleagues changed not less suddenly

1846.

1846. than we did; but by their change of opinions they sought, as I contend, the maintenance of their Administration, and the discomfiture of their political adversaries. Under these circumstances, any retractation of opinion is quite impossible, though the particular form of expressions which I may have used in debate, might not have been justifiable. The hon. member for Bath (Mr Roebuck) has adverted to the measure proposed in previous years, similar in effect and tendency to that which is now before the House, for the protection of life in Ireland. There can be no question that the measure introduced by Lord Grey, in 1834, was infinitely more stringent than that which we are now debating. That, which was doubtless an unconstitutional measure, was proposed from a deep conviction of its necessity. Lord Holland concurred in the Act of 1833, by which trial by court-martial was substituted for trial by jury: so did Lord Althorp; so did Lord Brougham. My right hon. friend (Sir R. Peel), when he conducted the affairs of Ireland in 1835, governed without a measure of this description. The courts-martial had ceased, and nothing but the ordinary law of the land was in operation. Lord Melbourne proposed a measure less stringent than that of 1833, but more stringent than the present bill. The variations have been pointed out. The right of domiciliary visit was given in the Act of 1835: no such power is given by the bill now before the House. The Lord-Lieutenant besides was empowered to select a judge who should try offences under the Act: what are the provisions of the present bill? Parties can be bailed on application to a single magistrate, and the Lord-Lieutenant has power to order the liberation of a party before trial, if he see cause, even though he stands committed. But who is to be the judge? Not one selected by the Executive Government,

Comparison of the Bill with former enactments.

but one of the twelve judges of assize. The case must go before the grand jury in the first instance, and must be tried by a petty jury at the assize. It is assumed that transportation under this bill is the penalty for offences. It is the maximum penalty, which can only be awarded by one of the twelve judges of Ireland, on his responsibility. The whole machinery of this bill, I undertake, on going into committee, to demonstrate, is infinitely less stringent than the provisions of the Act of 1835. I have been reminded that in the course of this Session, I myself have declared, that with reference to the people of Ireland, we ought to legislate with a view to their feelings, their wishes, and even their prejudices. The hon. member (Mr Roebuck) and others have referred to this sentiment with commendation; and some gentleman said that similar expressions had been used by Mr Fox. The last surviving colleague of Mr Fox is Lord Lansdowne; and I cannot be deceived as to his sentiments on this subject. It is not regular to refer to what occurs elsewhere; but I was present, and myself heard Lord Lansdowne say that the necessity of this measure was fully established—that whatever measures of conciliation might be introduced, social or political, it was absolutely necessary that this measure should be their precursor; and he gave his unqualified support to the second reading, although he observed that there were some minor details which might require amendment. Lord Melbourne had expressed the strongest opinion, in a letter to the secretary of the Repeal Association, that the measure had been too long delayed, and ought to be immediately pressed forward. Yet now we are told by gentlemen opposite, that this is an unconstitutional bill, and that its authors are undeserving the confidence of Parliament. Notwithstanding 1846.

1846. many difficulties, we have for five years conducted the Government of Ireland, without asking Parliament to grant us any extraordinary powers. Charged with the maintenance of peace in that country, under the most adverse circumstances, and knowing that our power would be shaken to its foundation by our commercial policy, we have not shrunk from the responsibility of proposing this measure. To have done so lightly, would have been inexcusable: having proposed it from a conviction of its necessity, to shrink now would be ignominious and base. Be the consequences therefore what they may, we are determined not to deviate from the course we have deliberately decided on."

Fall of Sir R. Peel's Cabinet.

The struggle ended in a division, which left Ministers in a minority of 73. Including pairs, 243 voted for the bill, and 316 against it. Sixty Conservatives and thirty Liberals were absent. On the following day, when the Cabinet met, they unanimously agreed to resign. It has been said by some, that to the last, they had clung to the hope of weathering the Parliamentary storm; and that the decisive defeat of the 25th of June was a disappointment and a surprise. This certainly was not the case, as far as the leading members of the Government were concerned. From the time they resolved to undertake the settlement of the Corn Law question, they never disguised from themselves or from those who shared their private confidence, that they were thereby hastening the dissolution of the party bonds, that hitherto had held together the Conservative

majority of 1841; and in the speech delivered by Sir Robert Peel on the 29th of June, announcing his surrender of power, he stated distinctly, that whatever the result of the recent division had been, he had made up his mind to relinquish office at the close of the Session. In this determination Sir J. Graham and his other colleagues entirely concurred. In their subsequent views and expectations they may have differed; but on this point no difference prevailed. However bitterly they may have felt the severity with which they were treated, collectively and individually, by those who censured their change of opinions, no word of complaint or reproach escaped their lips. They did not affect to conceal their opinion, that they had been at the last overthrown as a Government by an anomalous combination of parties, having nothing in common but the desire of their humiliation. But they certainly betrayed this feeling by no unworthy or undignified expression; and as they would have been prepared a few weeks later, to give place without a struggle to the Whigs, so now they learned without surprise, that three of their number, Lord Dalhousie, Mr Sidney Herbert, and Lord Lincoln, were invited to form part of the new Administration. The offer was indeed declined, but in such terms as implied no surviving sense of antagonism, between those who made it, and those by whom it was refused. The subsequent disclaimer by the new Premier, of any intention to re-open the

1846.

Peelites invited to join the Whigs.

1846. question of the Irish Church, tended still further to conciliate the support, which the ex-Ministers intimated their willingness to give, as independent members of the House. They took their seats once more in opposition, Sir Robert Peel and most of his late colleagues on the front Bench where they used formerly to sit, but where now they found beside them, for the first time, Lord G. Bentinck, Mr Disraeli, and others, who had become the acknowledged leaders of the Protectionists in the Commons.

Sir James on re-entering the House, on the 13th of July, took his seat on the fourth bench, to the left of the Speaker's chair, thus severing himself in appearance, although not in reality, from his late associates. The position he thus chose for himself, was variously interpreted, by those who understood but little of his feelings. He made no secret of his opinion, that the Whigs had acted ill, in thus allying themselves for the moment with the Protectionists to hasten the overthrow of an Administration, which they must have known was doomed. But he admitted that it made little difference whether their fate were then decided, or upon some other pretext, on some other day. The Conservative party was broken up; and no sacrifices which he or others could have made of health, or time, or self-respect, could avail to restore its unity. He felt that he and his friends had not spared the Whigs in their day of trouble; and he

hardly expected, perhaps, to be spared by them. 1846.
But all was over now, and for the future he would take a line of his own, forgetting as fast as he could old quarrels and enmities, and letting it be understood, that he no longer wore the uniform of either party.

In his speech on quitting office, Sir R. Peel paid a warm tribute to the varied talents of the late Home Secretary, and to the eminent services rendered by him to the Administration, by declaring that without his untiring aid, it would have been impossible to have carried on so long the business of the Government. He left behind him several measures ready to be submitted to Parliament, in whose preparation he had spent much time and labour. Of these the most important, perhaps, was the County Courts' bill, the details of which he had matured in concert with the late Mr Beytoun, who then held the situation of counsel to the department.

The interest Sir James took in the progress of affairs in Ireland, and in the measures which he had originated there did not cease with his performance of official duties. To one who had been actively engaged in the local administration, he thus wrote:—

"I am gratified by the kindness of your letter, but you 13th July.
owe nothing to me. * * * In a private station, I shall continue to feel a lively interest in the measures which I have had a share in passing and directing. I am willing to hope that,

1846. when the angry passions of the hour have subsided, the motives which dictated our policy towards Ireland will be clear, as I know them to have been honest: and though others may be more fortunate in the accomplishment of generous measures, no one can be more earnest or sincere than I am, in the desire to improve the social condition, and to elevate the moral character, of the people of Ireland. I shall be glad to hear from you occasionally, because I have a respect for your opinion; and when you revisit England I shall hope to see you."

Report of Andover Committee.

The Select Committee appointed to inquire into the treatment of paupers in the Andover workhouse, and the circumstances attending the removal of the assistant Commissioner of the district, continued to sit until the end of the Session. In their report, founded on the evidence of a great number of witnesses, they expressed a strong opinion against the mode of employment which Sir James had condemned; and they placed on record in considerable detail, their views regarding Poor Law administration. But no reflection whatever was cast upon the conduct of the Secretary of State, nor do the Committee appear to have treated the imputations, unwarrantably made against his veracity, as worthy of notice. The testimony of Sir Edmund Head was clear and conclusive, regarding the interview at the Home Office before referred to. It took place on the day before the prorogation of Parliament in 1845, and the observation of Sir James, which gave rise to the

erroneous impression stated by Mr Parker, was "that he would not produce the report in the House of Commons that night, and that he would give a verbal statement only. Nothing whatever fell from him which expressed or implied any intention to suppress the report; or to cause it to be as if it had not been written. On the contrary, Sir James said expressly, 'You know these papers will be called for, the first day of next Session; and they will have to be produced.' He contemplated the production of them, I am positive, at that time; and I find, upon inquiry, that the original report never left our office; therefore it was not in his or in anybody's power to suppress it at all. The report itself was duly registered at Somerset House, and it was a copy, not the original, that was sent to the Home Office."* Two letters, written pending the local inquiries at Andover, were produced by Sir E. Head, which showed how different was the spirit in which Sir James desired to see the workhouse system administered, from that which was sometimes ascribed to him. 1846.

"(Private.)

"Netherby, 16th September, 1845.

"MY DEAR SIR,

"The local authorities at Andover have acted very much as I expected. They are resolved at all hazards to uphold their officer, being implicated more or less in his dis- Letters to Sir E. Head.

* Minutes of Evidence, &c., Andover Committee,—Nos. 14, 112.

1846. grace by their own culpable neglect, if he be not declared innocent. The Commissioners can have no bias of this kind, even though the Assistant Commissioner of the district may be partially swayed by it; and I am most anxious that your desire to have strict justice done should be apparent, and that every step which you take should be marked by the single purpose of ascertaining the truth.

"I have always contended, that one of the duties of your high office is to protect the poor from injury and oppression, when wrong is done to them by local authorities, armed with brief power, and actuated by petty resentments, or corrupt prepossessions; and no wish to palliate past errors should be allowed to interfere with this paramount duty.

"It appears to me that it is absolutely necessary to resume the inquiry; the evidence ought to be taken in the most formal and dispassionate manner, and duly reported by a short-hand writer. What is not legal evidence should be admitted with great caution; what is legal evidence should be taken down *verbatim*. No new matter should be opened until the charges of drunkenness and debauchery are closed and rebutted by the defence; and if either of them be proved, your course is clear.

"This case, as affecting Mr Parker, must be considered by you when the whole matter is determined, and when you can calmly review the part which he has taken in this unfortunate affair.

"I am afraid that the impression on the public mind will be strong, that there has been gross neglect on the part of the guardians, and most improper conduct on the part of the master; and that if Mr Parker had been active and intelligent in the discharge of his duty of superintendence, these evils

could not have remained so long undiscovered. It is, however, premature to pronounce a positive opinion on this point. 1846.

"I am, &c.,

"J. R. G. GRAHAM.

"Sir Edmund Head, Bart."

His mind still dwelt upon the subject; and a fortnight later he wrote confidentially,—

(Private.)

"Netherby, 1st October, 1845.

"MY DEAR SIR EDMUND,

"I shall be in London on the 16th of this month, and I will readily postpone my official communication to you, with respect to bone-crushing in workhouses, until I have had the pleasure of private personal communication with you and Mr Lewis.

"The dismissal of the master of the Andover workhouse is one point gained. Some grave matters still, however, remain to be considered. The report of the auditor seems to show deficiencies under certain heads of account, immediately connected with the dietary; and Mr Parker's inspection of the books, on his own showing, unless what he said has been falsely reported, has been negligent in the extreme. The manner also in which he has conducted the inquiry has been most unfortunate.

"The dietary itself also at Andover is low; and if it be inadequate, no fear of the charge of a concession to clamour should prevent its immediate increase.

"We will, however, reserve the discussion of these matters until we meet.

"I am, &c.,

"J. R. G. GRAHAM.

"Sir Edmund Head, Bart."

1846. The Committee thought Mr Parker had been hardly dealt with by the Commissioners; but no one appears to have even proposed any expression of disapproval of the part taken by the Home Secretary.

Protectionist Opposition.

The resentment of the numerous party who had deliberately overthrown the Administration they had previously supported, may be said to have been concentrated almost exclusively upon the two men who had no doubt chiefly moulded its policy and character. Lord Wharncliffe had died in the midst of the crisis of their fate; the Duke had announced his intention to withdraw in future from party politics; Lord Aberdeen, though believed to have contributed in no slight degree to bring about the final decision regarding the Corn Laws, had not been publicly mixed up in the bitter contention to which it led; nearly every one deprecated and disfavoured Lord G. Bentinck's blind attack upon Lord Lyndhurst; and the rest were all more or less quickly forgiven. But for Sir R. Peel and Sir J. Graham there was no forgiveness. Throughout they had been looked upon as the joint source of the party's undoing; and every man had his own theory, as to how much of the mischief was due to each, and in what degree each had been influenced by the other. It has been truly said, that in a certain sense, the peculiar confidence subsisting between them was unfortunate for both.

"The character of both these eminent men resembled each other; and the infirmities to which both were subject abetted their mutual defects. There was less of similarity between the minds of Sir James Graham, and Lord Palmerston, or Lord J. Russell. But for that very reason they were safer colleagues, as their different feelings, united in a Cabinet, corrected each other. Sir Robert Peel, on the contrary, was keenly sensitive to public censure, and timid of opposition; and when his own doubts and difficulties came back to him, reproduced with the energy of Sir J. Graham's conviction, and the force of his weighty language, the danger appeared overwhelming, and the minds of both were hurried in a whirlwind of anxiety to a panic fear. But in one respect I cannot help thinking that Sir J. Graham's mind rose to a superiority even over that of his more illustrious associate: I mean in his power of forecasting the future. Within a certain range Sir Robert Peel possessed a marvellous sagacity; but from whatever cause (certainly from no want of intellect, when the intellect was so extraordinary), the range had its limits. Sir James appeared to me to look further ahead. I had much conversation with him before the dissolution of 1841, when the Corn Laws and the maintenance of the sliding scale was made the election cry by Sir Robert Peel and his followers. There were signs then apparent of a coming change in public opinion; and it was evident to many, that a system which was not only obnoxious to the manufacturing classes, but which produced dissatisfaction among the temperate merchants of Liverpool and Glasgow, could not stand. These symptoms struck the mind of Sir J. Graham; but from his antecedents he could not make a move on the question; and the leader of his party would not see the danger.

1846. Sympathy between Sir James and Sir R. Peel.

1846. Personal characteristics.

"I would ask permission to make one more remark. Sir J. Graham's real character was little known. The world did not know how true he was as a friend, and how constant was his attachment. To the world he appeared cold and distant; as an official man he seemed to stand upon his dignity; in parliamentary debate he allowed himself to use harsh words which left rankling recollections. But those who wished to know him must have seen him within his family; there they learned how tender were his affections, how gentle and forbearing his deportment, how he unbent among his children, and joined in their interests with a ready sympathy. He might be seen, in his first Administration, when his ambition was satisfied by the high post of First Lord of the Admiralty, seated in church with his little boy nestling close to his side, with one of his father's hands clasped in both of his, and the picture revealed how warm was the heart of the reserved and distant man. Nor did years weaken these affections, nor the hard wear of public life. Years afterwards, when he was Home Secretary, and was then, as you may remember, the most unpopular man in Sir Robert Peel's Administration, denounced by the organs of the press, and disliked by many in the House of Commons, he might be seen going home tired at midnight after a day of hard and anxious work, and when he found one of his children wakeful from tooth-ache, he took his place by the bed-side, as if it was his natural sphere, watched by him, gave him remedies, soothed his fretfulness, sacrificed the sleep he stood in need of, that he might lessen the pains of the suffering child.

"No, depend upon it, he was a man little understood. I do not deny that for this he was himself much to blame; but all the more is it the duty (and a privilege also) of those

who knew what he really was, to communicate their feelings to others, and to draw aside the veil which concealed him, and to let some glimpses pass of that better nature which was truly his." * 1846.

At the end of the year 1846, Sir James took his name out of the list of The Carlton.

* Letter from Mr J. C. Colquhoun, November, 1862.

CHAPTER IX.

MEMBER FOR RIPON.

1846—1851.

1846. Recurrence of potato blight.

Before Parliament was prorogued, the new Administration deemed it necessary to make provision for meeting the recurrence of dearth in Ireland. Rumours of the reappearance of the potato blight were current during the later portion of July; and by the middle of August the fact was ascertained with painful certainty. Some persons remained incredulous as to the actual extent of the mischief, during the autumn. The failure of the potato crop had been, they said, exaggerated in the previous year for political purposes, and it might be so perhaps again. Little allowance was made for the circumstance that the evil was certain to be greatly enhanced by its having befallen the country in two successive seasons. But the hopeful and humane rejoiced to think, that whatever the character of the calamity

might be, alleviation would be rendered easier by the free admission from abroad of every alternative species of food: and no man, either in or out of Government, dreamed of the gigantic proportions it was about to assume. In reply to a letter from his old friend Mr Sanders, Sir James wrote as follows:— 1846.

"Netherby, 17th September, 1846.

"My dear Sir,

"I am greatly obliged by the kindness of your letter. I do indeed rejoice that the restrictions on the importation of food have been relaxed by the free consent of Parliament. A national convulsion has been thereby averted, which an attempt to prolong the Corn Laws in present circumstances would infallibly have created. From the first, I entertained a very unfavourable opinion of this potato disease. I was satisfied in my own mind, that reliance could no longer be safely placed on the potato as the staff of life for one-third of our whole population: and I always foresaw that it would be difficult suddenly to draw from the whole world, an adequate supply of bread-corn as the substitute for the potato, on which a dense and increasing population so much depended. Reliance on the potato no longer possible.

"The state of the corn market throughout Europe, rendered the moment chosen for this change in the law least dangerous and oppressive to the British agricultural interest; whilst the necessity for the change in Ireland was a question of life or death. Events have fully justified my anticipations; and although Sir R. Peel and I may be traduced as traitors by the aristocracy, this class is in reality more indebted to us

1846. than the rest of the community. I am quite content to submit to present odium, in the certain hope that justice will ultimately be done to our actions: at all events, I have the satisfaction of feeling that I have not consulted my own interests, but that I have endeavoured faithfully to discharge my duty towards the public.

"I will thankfully accept your kind present. A barrel of meal, directed to me here, and sent from Liverpool by the steam-boat to Carlisle, will reach me in twenty-four hours. Yellow meal, in the end, will do more for Ireland than O'Connell, Repeal, and all the claptraps of a 'Liberal Government.'

"I am, my dear sir,

"Yours sincerely,

"J. G. GRAHAM.

"Joseph Sandars, Esq."

The Famine in Ireland.

At length the dread calamity, the certainty of whose approach had for twelve months been disputed as an invention or a vision, came: "and the famine was sore in the land." The potato crop of 1845 had partially been smitten with blight: that of 1846 was absolutely swept away. Before the end of autumn the fearful truth had become known to all. The last murmurs of doubt and cavil ceased; and the only question which occupied men's minds was—whether foreign corn could be brought in and distributed fast enough, to save an entire community from starvation? If ever a forethoughtful policy was justified by the event, it was that pursued in the repeal of the Corn Laws. The alarm of

November, 1845, was said to have been premature; but ere the dark days of November, 1846, had closed, there was not found one reasonable voice to say that the ports had been thrown open an hour too soon, or that notice had been too early given to all the food-exporting countries of the world, that we should henceforth look for large supplies from them. 1847.

Conduct towards Ministers.

Sir James marked each successive step in the terrible catastrophe which ensued; and early evinced his readiness to waive all minor questions of difference between himself and those who succeeded him in office, with a view to the promotion of prompt and efficient measures of relief commensurate with the exigency. His conduct and that of Sir Robert Peel during the ensuing period, was marked by the utmost consideration towards the Government. When they dissented from the prudence of certain measures, they took care to intimate their dissent in private; and while naturally and fitly disclaiming any share of responsibility, and any semblance of the attitude of prompters, they freely made known their opinions when it was desirable or useful: and when their suggestions were not followed, they abstained from dispute. We find Sir James taking part in almost every discussion of proposals, whencesoever emanating, which seemed likely to affect the social condition of Ireland. On the bill for the reclamation of wastes, he urged the practical import- 1st March.

1847. ance of "relieving proprietors from the legal burthens which impeded the sale of their lands, and hoped that the details of the measure would not be left to the lawyers." When an attempt was made to limit the scope of his Irremovable Poor Act of the
2nd March. previous year, he confessed that the interpretation legally put upon it, afforded a somewhat wider relief to the labouring poor than he had anticipated, but that he was glad of it, and would stoutly resist its
10th March. undoing. Again we find him remonstrating in committee, on the Drainage of Land bill, the amount of loans being fixed too high, and suggesting a diminution, upon the ground that it was not to benefit a few great proprietors the State ought to lend money, but to rally the courage and energy of the greatest number of land-owners, to diffuse employment most widely where it was paralyzed, and to promote the raising of the greatest amount of food as speedily as possible within the realm. As distress increased, and direct relief from the Treasury grew formidably greater, the cry was raised throughout Great Britain, that the owners of property in Ireland were not bearing their due share of the burthen. While hundreds of thousands were daily on the brink of perishing by famine, the rates in many places had not risen above two shillings in the pound. The Irish Poor Law, as originally passed in 1838, had given no right of relief either individual or local; and the workhouse test being rendered in

all cases imperative, when famine came, the system proved wholly inadequate and unsuitable to meet the prevalent need. Government consequently resolved to alter the law, and to grant throughout Ireland the right of out-door relief. Sir James, while making due allowance for the difficulties of the time, could not help viewing the probable consequences of this change as grave in the extreme. It would, he thought, work a complete revolution in landed property in Ireland; and it might one day shake the stability of the Church. The landlords, pressed by the unaccustomed burthen of Poor Rates, would be the first to show an indisposition to the payment of the tithe rent charge; and many other changes of the greatest importance would ensue. But in the existing temper of the House of Commons, some measure of the kind was inevitable: and eventually it would prove an instrument, he did not doubt, of reconstituting society in Ireland on a better basis.* 1847. Irish Poor Law.

A sum of £100,000 having been proposed by Ministers for denominational grants to all schools where the Scriptures were used, under an order of the Committee of Privy Council, a question was put by Sir James, as to whether the rule would be interpreted to mean the use of the authorized version and no other? The reply given was in the affirmative; and in the course of the debate which ensued, he took occasion, while warmly supporting the grant, Education in England and Wales.

* Conversation with a friend, 14th March, 1847.

1847. as the commencement of a general system of contributive aid by the State to popular instruction, to comment on what he deemed the injustice that would be done to the Roman Catholic community. "He had had some experience in his own person, of the difficulties which a Minister must encounter, in attempting to deal with the subject of education. He unfortunately was not able to render as much assistance to the cause as he earnestly desired; but he did this at all events,—he sounded the depths and the dangers of the course; he traced the channel, and marked the rocks and shoals to be avoided; and if his efforts had been productive of no other benefit, they had at least served to show future Governments what it would be their duty to shun, if they would promote the cause of education. His opinion was that the question of national education in England was not ripe for legislation; and he thought it necessary that the course hitherto pursued should be persevered in. He meant that the regulations on which the aid of the State was to be given, should be brought under the consideration of Parliament, by an annual vote. That was perhaps all which at present could be satisfactorily accomplished. But if they interfered to give State assistance to one class of Dissenters, it would be impossible, on any consideration of fairness, of policy, or of religious liberty, to make any invidious distinctions, and refuse similar assistance to another. That was the view he took

and maintained when he shared in the deliberation, 1847.
of the Privy Council. Ministers justly thought the time had come when something further ought to be done; and that consideration led, he imagined, to their agreeing to the Order in Council then on the table. He greatly rejoiced that the Wesleyans, who, without any aid from the State, had done so much for education, were at last to be admitted to a participation in those advantages. But if they admitted certain Dissenting bodies to receive the aid of the State, he could not see with satisfaction the Roman Catholics excluded; and recollecting that they were not only fellow-Christians, but that their Christian doctrine was the doctrine of the larger portion of the world where Christianity was accepted, he could not assent to the proposition that they should be an exception to the system. Assuming that the authorized version was intended to be used in the schools that received aid from the State, he would say that he thought that was a most unfortunate ground on which to rest the exclusion of the Roman Catholics. What was the authorized version? and what was the version of the Roman Catholics? The version of the Roman Catholics was that Bible, from which Bossuet and Fenelon drew their texts when they preached—that Bible from which Pascal derived his immortal thoughts. And was he to be told that that version which was used by the Roman Catholics, should be the sole

No exception just in Denominationalism.

1847. barrier by which they were to be excluded from all participation in the aid given by the State? He believed that the Roman Catholics were in a position to show, that the very terms used in the Order in Council of 1839, were terms which would admit their claim. Reference had been made to Mr Charles Langdale. From his earliest years he had had the privilege of knowing Mr Langdale. A more honourable man did not exist; he was incapable of deceiving; he was implicitly to be believed. He (Sir J. Graham) had had various interviews with him on this subject, and he found from him that in many large towns, like Manchester, Liverpool, and London, there were large masses of our Irish fellow-subjects living in great poverty, and greatly at a loss for the means of moral and religious education; and though the wealthy Roman Catholics were prodigal in the aid they furnished, yet the means of moral education and of religious worship were greatly deficient, because in those districts these poor people were severed from the heads of their religion, and consequently their moral and religious destitution was extreme. He was assured by Mr Langdale, that there was no body of Dissenters that would feel so little difficulty, in the terms of the Order in Council of 1839, which defined special cases, as they would; and those terms ought not to be now construed, so as to prevent them from a full

Opinions of Mr C. Langdale.

participation in the benefit of the grant. The resolution upon which the grant was based contained the words "the daily reading of a portion of the Scriptures forming part of the instruction." He had yet to learn, if that was not held to mean the authorized version exclusively, how the Roman Catholics would have any difficulty. But in any case, he was clearly of opinion, that some effort should be made, by means of communication with their prelates, to see whether an accommodation might not be effected. It was said to be a question of time. Well, but then, he asked himself, was it just to postpone the decision of the question? He could certainly see some expediency, but he was bound to say he could see no justice whatever in postponing it. If they were only about to vote £100,000 for the purpose of aiding the education of the people, and no new rule was about to be established, he could understand the postponement. He was speaking with no feeling of passion on the subject; he was aware of all the difficulties which environed it; he wished to reason upon it as a matter of justice and equity to the poor. They were now taking a new course. It was a fallacy to say they were called upon only to vote £100,000 for the advancement of education, and that they were about to adopt no new proposition. The vote was to be taken on different grounds from that of 1839; it was the adoption by Parliament of an entirely new

1847.

Injustice of delay.

1847. principle. The contingent expenses of the new scheme had been variously estimated; they had been estimated as high as £2,000,000, and no one, he thought, could well put the estimate lower than £1,000,000. The expense would probably reach that amount in no very long period.* He did not mention that invidiously or grudgingly; he rejoiced that it should be so, because he thought that the State ought to support a scheme which was likely to lead to an expense of so useful a character. But this vote was, besides, not merely a virtual but a positive adoption by Parliament of the Order in Council. There ought not then to be a doubt whether the Roman Catholics should be admitted to share the advantages or not; Government knew that the terms used, whether Bible or Testament, or Scriptures, meant the authorized version, and that the Roman Catholics had an insuperable objection to the use of that version. Now that was neither more nor less than to say, that the Roman Catholics were to be excluded at present from all benefit of the grant. What then was their prospect? Why, they were told that at present they were not to partake of the grant; but that at some future time their isolated case was to be presented for the consideration of the House. When was the right time? He said that the time

Authorized Version of the Bill.

* In 1861 this anticipation was realized, the grant for primary education having then reached £1,358,996.

to do justice was now; and he never could believe that it was good policy to postpone any concession, which justice and equity, and the spirit of religious freedom, demanded. The course taken by the Government in all other respects was not only justifiable, but prudent and judicious. He thought that great good would arise from the course now proposed; but he could not consent to purchase that good at the expense of doing injustice to one class of their fellow-subjects. A measure had been carried establishing colleges in Ireland, in which secular education alone was enforced, apart from religious instruction. He confessed that he preferred, however, the course which her Majesty's Government had pursued in that respect with reference to England." 1847.

Lord J. Russell's reply indicated no little surprise and irritation at this speech, which he treated as one intended to damage and embarrass the Government. He retorted the charge of sectarian injustice, which came ill, he said, from one who had opposed the original grant of 1839, and who had been the author in 1843 of the educational clauses of the Factory Bill. Sir James told Mr C. Greville, soon afterwards, that he was much hurt at the tone and manner of these observations, which he did not think he had in any way provoked. He had been not a little gratified by what took place in December, 1845, when Lord J. Russell requested to see him, and asked his opinion on several matters of import-

1847. ance relative to the condition of the country, when a change of Government was expected. Many things had subsequently occurred which had led him to hope, that old feelings of kindness, if not of confidence, might gradually spring up between them. But he feared it was not to be. His friend told him he was quite sure he was mistaken regarding the sentiments entertained towards him; an assurance which circumstances soon afterwards fully justified.

Governor-generalship of India.

The Governor-generalship of India having become vacant by the expiration of Lord Hardinge's term of office, Lord J. Russell asked the Chairman of the East India Company (Sir James Weir Hogg) to name three or four persons, irrespective of party, whom the Directors would consider qualified for the position. The first name upon the list was that of Sir J. Graham. The Prime Minister thought it right to consult the Duke of Wellington, who approved entirely of the preference thus shown. In the intercourse he had had with him as Secretary of State, particularly in 1842, when the country was much disturbed, and afterwards in 1843, when Ireland gave cause for no little anxiety, the Duke had formed a high opinion of his administrative ability and firmness. He had previously been led to suppose him wanting in the latter quality, but he found he had been mistaken, and he declared that no

one could show more coolness or decision in difficult circumstances. The offer was accordingly made by Lord J. Russell, in terms well calculated to insure its acceptance; yet he would not accept. "He had declined the Governor-generalship more than once before, and he could not bring himself to take it from Lord John, after what had recently occurred between them." After his secession from the Whigs, in 1834, Lord Melbourne had made him an offer through the Duke of Richmond of the Vice-royalty of India. Nothing apparently could be more opportune than such a proposal, which would have extricated him from the embarrassments of home politics, before he had said or done anything to give pain to his recent colleagues, and which, while it would have placed him in the position which he always considered the most enviable for a man of energy and ambition, would have enabled him to pay off a portion of the debt with which his fine estate was encumbered. If anything could add to these inducements, it was that he would have had to succeed his old and valued friend, Lord William Bentinck, whose enlightened and unaggressive policy he cordially approved. But he felt himself constrained to decline. Lady Graham, to whom he was fondly attached, had then three or four very little children, and she could not therefore accompany him; while his eldest son was of an age when he did not like

1847.

Offer of Lord Melbourne.

1847. to leave him without a protector. Several of his intimate personal friends urged him to accept the office, and to go out alone; but he could not bring himself to do so, and with deep regret he decided on refusing. No appointment had been made when Sir Robert Peel was called to power; and notwithstanding the rejection by Sir James of a seat in his Cabinet in December, in the course of the following month he authorized the Chairman of the East India Company to say to him, that if he would take the office, he should be nominated forthwith. But the same reasons existed, which had governed his decision a few months before; independently of which, having just declined to share with Sir Robert Peel the responsibility of office, he could not think of then accepting from him such a post, for which it was only natural Sir R. Peel's own friends should be candidates. Again in 1841, he mentioned to one who was aware of these circumstances, that he might if he wished have gone to India, upon Lord Auckland's return; but he had then cast in his lot with Sir R. Peel, and preferred the responsibility and toil of the Home Department; and now once again the glittering prize was placed at his disposal, and once more he put it from him. He believed that the Whigs hated him, and that they would be glad to be rid of him in the House of Commons, where many of the causes of his past unpopularity were likely by degrees to be forgotten,

Repeated by Sir R. Peel.

and where in the position of an independent critic of a Government possessing but a doubtful majority, he would exercise a power that was felt to be formidable. 1847.

While the matter was still open, he mentioned to Mr Greville in conversation, the sentiments by which his mind was swayed; and he seemed to be unconvinced by the arguments which would have led him to think differently of the motives that had dictated the recent offer. A few days afterwards his friend called on him, being more than ever persuaded that the impression referred to, regarding Lord J. Russell, was altogether groundless, and desiring to find an opportunity for removing it. But Sir James talked incessantly upon all manner of subjects except India, which he purposely seemed to avoid; and when at last Mr Greville inquired whether he had re-considered the matter, he put it aside hastily, saying "the thing was quite impossible." 14th June. 20th June.

The Premier was not disposed to regard his refusal as decisive. The Dissolution was at hand; he knew that Sir James was not likely to be gratified in the hope of being once more elected for Cumberland; and he fancied it possible that he might even fail in obtaining a seat in the new Parliament. If so, he could not believe that the Vice-royalty of the East, with its splendid appanage and limitless scope for the exercise of administrative power, would not tempt one who he well knew enjoyed its exer-

1847. cise more than most other men: and though strongly pressed by one of his own party (who did not hesitate to urge many reasons against the rumoured appointment of Sir James), Lord John took care to let his late antagonist but early friend know, that he would hold the place vacant, and would not fill it up until he was actually called upon by the President of the Board of Control, as a matter of necessity, to do so. All this eventually had its effect in wiping out old scores of grudge and grievance, when the fit of ill-humour and suspicion had passed away. But it could not alter Sir James's resolution with regard to India. He had in point of fact consulted Sir R. Peel, who he said "entreated him to refuse;" and though the representation of the county was not within his reach, he was secure of a place in the new Parliament.

Seat for Ripon.

Certain of his personal friends in Cumberland had for some time marked with satisfaction, the softening of prejudices and ill-will regarding him, ever since the repeal of the Corn Laws. His subsequent support of the Whigs, and still more the extreme bitterness with which he was daily assailed by the Tories, misled them as to the depth of the revulsion of feeling, which they desired to believe had taken place; and they sanguinely imagined it possible, that the alienation of the last ten years might be brought to an end, and that he might once more be recognized as a champion of the Blue cause. But such

expectations were, to say the least of them, premature; and little disposition was evinced by the influential proprietors on the Liberal side, to re-adopt their old representative. On learning how things stood, Lord de Grey, who had not forgotten the friendship long subsisting between their families, and who always acknowledged in the warmest terms the manner in which he had been supported by the late Home Secretary, during his difficult period of Administration in Ireland, placed at his disposal a seat for Ripon. His father had sat for the borough just forty years before; and being indisposed to contest any place where he was a stranger, he at once accepted the offer. 1847.

In the discussions on the Bill, creating a bishopric of Manchester, Sir James more than once took part. As one of the Ecclesiastical Commission, he had formed a decided opinion adverse to the separation of the Episcopal and the Common fund. He thought that distinction should be brought to an end, and that all future re-distribution of Church property, should be governed by the practical consideration,—what was best for the whole Church. So long as the people of any district remained without adequate pastoral ministration, he would not consent to the creation of new bishoprics, and so long as district churches could only be maintained by charging pew rents, he did not think it right to create new episcopates, with stipends of £4000 a Bishopric of Manchester.

1847. year. It was not new ornaments they wanted for the temple, but new buttresses; and these could only be formed in the better re-distribution of the undivided revenues of the Church among its working clergy. The case of Manchester was, perhaps, an exception, but the way to meet it was by combining in one, two of the existing bishoprics where there was least to do,—not by adding to the total number. This was, however, confessedly but the first of a new series of creations, by which a heavy charge would be imposed upon the general fund, that would otherwise be available for the endowment of small livings; and to that he could not assent.

Carlisle Patriot. The opinions of the *Carlisle Patriot* having been unaffected by the changes which had taken place in the policy of Conservatism, its columns frequently contained rebukes and strictures on the public conduct of Sir James. He still retained the shares he had taken in 1837, but these he and others now disposed of to Mr Perring, who had been the early editor of the paper, and who thenceforward became its proprietor.

The commercial crisis which occurred in the autumn, accompanied as it was by the collapse of railway speculation, and the prospect of a continued drain upon the Treasury, to meet the unabated destitution in Ireland, naturally suggested, early in 1848, the duty of reverting once more to the long-forgotten ways of economy in the public expenditure.

In the debate on a bill for restoring to the Board of Trade, the power of superintendence over Railways, which had been severed from it in 1846, Sir James admitted that the change had been an improvident one, made during an extraordinary period of speculation, and that the sub-department thus created, having now but little to do, it was right it should be suppressed. The circumstances of the time demanded retrenchment; and he trusted that this would prove but a beginning. He would take the opportunity of saying how deeply he thought the country was indebted to Mr Hume, for the services he had, during a long course of years, rendered in this respect. No man had ever served the public more disinterestedly, having neither received nor sought any personal advantage for himself or those connected with him. He would fain believe that the services of his hon. friend to this country would not be forgotten; and doubtless their value would be more felt, and would be more highly appreciated, when they should have lost him, than while he continued amongst them. It was the tendency to add to the permanent establishments, which in the course of the last fifteen or twenty years, had added so enormously to the public expenditure; and the present was the first opportunity which had arisen in the new Parliament, for the House of Commons to attempt the introduction of a principle of saving in that respect.

1848.

Suppression of Railway department.

1848. He was one of the members of the select committee appointed to inquire into the expenditure on army, navy, and ordnance, which sat during many months, and from the result of whose labours great hopes were entertained by the friends of economy. Few were more diligent in their attendance at its sittings; and none entered more zealously into the examination of the numerous details of the defensive services, or into the discussion of the administrative questions arising out of them. He also served upon the committee chosen to investigate the encumbrances affecting landed property in Ireland; and upon that to which had been referred the condition of the Colonies producing sugar and coffee. The bill subsequently introduced by Ministers for equalizing and reducing the duties chargeable on these articles, had his cordial support. It was in fact the legitimate complement to the repeal of the Corn Laws; and was logically followed two years later, by the repeal of the Navigation Laws, which constituted the last outstanding stronghold of the policy of Protection. Each step was warmly contested in the committee-room and in the House: but he never seemed to tire of the great controversy. His mastery over figures, and his power of arraying facts to meet every case, however novel, that was put by the opponents of Free Trade, will long be remembered by those who witnessed the protracted struggle. He and his once intimate, but now alienated friend, Lord G. Bentinck, came into con-

stant collision; but though they never politically agreed, they never personally seemed to quarrel: and their altercations often ended in a laugh from those who stood by, at some hard hit dealt by one or other in argument. When addressing the House one evening, on the oft-debated subject of the connection between the rate of wages and the price of food, Sir James reiterated his declaration that experience had convinced him, that the former had a constant tendency to rise in proportion as the latter fell. Lord George, who was sitting on the front Opposition bench below him, threw back his head, and looking round at him, exclaimed, "Ah! yes, but you know you said the other thing before." A shout of laughter, in which Sir James joined, was followed by cheers and counter-cheers; and curiosity was on tip-toe for the retort. From his perch, as he used to called it, the ex-minister looked down at his noble antagonist, and said in a tone of ineffable humour,—"The noble Lord's taunts fall harmless upon me: I'm not in office now." 1848.

Amid the tranquil pursuits and recreations of autumn he was once more occupying himself, and learning to forget the irritation of recent political conflict, when tidings reached him of an event that chilled his re-animated hopefulness, and cast for some time a shade of sadness over his best efforts to be cheerful and to make those about him glad. The leader of the party which had driven him and Sir

Death of Lord George Bentinck. 22nd Sept.

1848. R. Peel from power, two short years before, was numbered with the dead. At the close of the Session, Lord George Bentinck had sought rest and relaxation at his father's seat in Nottinghamshire. While walking alone across the fields in the neighbourhood, he had been seized with a fatal spasm of the heart; and not until after an interval of many hours, his lifeless body was found lying where he had fallen. Of those with whom conscientious differences of opinion had recently brought him into unexpected collision, none had known him better or valued him more highly than Sir James. Their grandfathers had been associated in the same political conflicts; and although in tastes and habits of recent years there had been little personally to unite them, it did so happen, that from various circumstances, they had in Parliament almost invariably taken the same views, and espoused in the main the same cause—first of Reform, and then of Conservatism. After the death of Mr Canning, to whom he was private secretary, Lord George gave himself up chiefly to field sports, while his more ambitious friend devoted himself to the winning of prizes in a higher arena. But in almost every great division we find their names associated. Both were earnest and devoted advocates of religious liberty; both aided by their votes, the early efforts of Mr Huskisson in favour of Free Trade; both voted for his Corn-Law compromise of 1828,

and refused to abandon it in 1834; both had been staunch advocates of Reform before it was the fashion to be so; and both contributed to its accomplishment. In the schism upon the Irish Church question, Lord George had gone with the Seceders; and when others looked back, he was one of the few who fell not away. He hesitated, as did others, when Lord Stanley and Sir James declined their resolution of allying themselves with Sir R. Peel, whom he could not forgive for his conduct towards Mr. Canning; but he yielded to what he believed to be the necessity of the case, and agreed to recognize Sir Robert as his parliamentary chief. For many years he kept loyally his unwilling word thus given, reserving the right to reject all personal advantage, or even private courtesy, from the man whom he still distrusted and disliked. Nothing could have induced him to make such a sacrifice of feeling, but the sympathy he felt with those with whom he had seceded from the Whigs. When suddenly called on for the first time in his life to take a prominent part in political discussion, he shrunk from the task, unaffectedly declaring himself unfit for its due performance. But from the moment he consented to do so, he threw himself heart and soul into his work; and by indomitable perseverance and energy, overcame difficulties and disheartenments that would have repelled most other men, and won for himself a conspicuous position, in a singularly short space of time. 1848.

1848. The sacrifices he had made in the effort, were well understood by those who knew him personally; and in spite of the rancour of his attacks upon the head of the late Administration, Sir James could not but admire the courage and constancy of the man, or efface from recollection, how often they had in youth stood side by side, and in after years, how often they had found themselves together in the same division lobby. To a friend who spent some days at Netherby, just after the intelligence had been received of Lord George's death, Sir James spoke often and with great feeling on the subject. "And that," he said, "is what we are all toiling for: to be a nine-day's talk, and then forgotten!"

Suspension of Habeas Corpus.

The continuance of distress in Ireland, owing to the third failure of the potato crop, had occupied attention during great part of 1848. Further measures of relief in different forms were adopted by Parliament, in all of which the late Ministers cheerfully acquiesced; while they aided the Government in resisting proposals which they thought impracticable, or calculated to entail ultimate consequences of an injurious kind. In their despair, vast numbers of the people sought to escape from the devoted land to which hitherto they had been so fondly attached; and the spectacle, unparalleled in modern history, was beheld, of multitudes simultaneously abandoning their homes, and flying for their lives over sea to

a distant land, where few of them could hope for more 1848.
than a livelihood by the hardest and humblest toil. The old system of agitation seemed almost to have died out with its celebrated author. But during the spring of 1848, appeals to physical force had been loudly made by the party of Young Ireland; and from the deplorable condition of the country, it was supposed by some that such exhortations might prove not altogether without effect. The danger was certainly much exaggerated. The political faith of many in Repeal had waxed cold, even before the death of Mr O'Connell; and the prostration of mental and physical strength that had befallen the sanguine peasantry, whom a wave of his hand would have converted into an insurrectionary host in 1843, unfitted them for any enterprise of the sort in 1848, even had there been any one like him to lead them. But the great tribune had left behind him none capable of wielding his power. Young Ireland was a sect small in numbers, whose literary and political creed was regarded by the Catholic hierarchy and priesthood, as of more than doubtful orthodoxy. They talked and wrote eloquently of the duty of a desperate attempt to put an end by force to British connection, to which they ascribed all the misery around them: and they pointed to the success of the Revolution of February in France, as sufficient proof of what might be accomplished elsewhere. For some months Government wisely remained incredulous as

1848. to the reality of any danger from these threats; but towards the end of July, the Irish executive imagined that matters were becoming serious; and Parliament was asked to suspend the Habeas Corpus Act, as the most effectual means of anticipating any outbreak, by the prompt arrest of those who daily counselled it. As a measure declared to be indispensable in order to prevent the probable effusion of blood, men of all parties concurred in granting for six months the exceptional powers sought for; and the Bill passed through all its stages in a single day. Whereupon the bubble burst; and the incidents which subsequently took place served to throw an air of ridicule over the apprehensions that had been entertained. Many were surprised therefore at learning, when Parliament re-assembled in February, that it was intended to apply for a renewal of the Habeas Corpus Suspension Act, for a further period of twelve months. Sir James objected strongly to a course of rigour, for which he thought no case had been made out, and that if adopted at all, it ought to have been accompanied with large measures of concession. He strongly urged this view in private, as did others, who had acquiesced in the original suspension bill: and eventually the term of the continued suspension was limited to six months. Upon Lord Auckland's death, the vacant office of First Lord of the Admiralty had been offered to Sir J. Graham, and the offer had been accompanied with an intimation that if he had

Offer of the Admiralty.

any wish to go to the Upper House, a peerage would be conferred on him. He had come to town in consequence, and had had an interview with Lord John, in which, as he told the mutual friend before referred to, he was informed fully of the views entertained by the Government, which, in the main, had his approval. He had some doubts as to whether they would go far enough for him in the way of retrenchment, and some misgivings as to foreign policy. He had expressed a wish before deciding, to consult Sir R. Peel, who he happened to know was likely to pass through town in the course of the afternoon; and to this no objection was made. It so happened however that he missed seeing his former chief; and on the following day he communicated to the Premier his final determination to decline. When accounting for his refusal some weeks afterwards, he said "he had played some pranks before high heaven in his time, having left the Whigs on a difference of opinion as to public policy, and it would never do to be obliged to do it again." As he could not feel certain therefore of being able to concur in all their measures, he thought he had done right in refusing to join. 1849.

Those who estimate parliamentary work by the comparative length of the speeches reported in the newspapers, form a very inadequate idea of the time and toil which legislation really costs. A debate on the second reading of a bill is but the cutting of the Attendance on select committees.

1849. corn, the irregular talk in committee but the gleaning, and the interchange of compliments or warnings on the third reading but the leading from the field. It is sometimes hot and hurried work, but it is short—done with cheering companionship, and not without many to look on: nor is a sufficient recompense wanting. But the early tillage of the field, the clearing and the levelling, the planting and the weeding, are long and tedious operations, of which the passers-by take small note, and with which few of those who are to eat the fruit in general concern themselves. Yet sound legislation, like good husbandry, implies many days of laborious care, and many preparatory processes, the specific results of which are not beforehand easily explained: and the men whose opinions practically make themselves most felt, are generally they who are content to "work them out" in committee, before they challenge the judgment of the House. Sir James understood this well. He had first acquired a character for business ability, by his systematic mode of dealing with subjects of importance in this way; and after long experience and great success in office and in opposition, he took to it again with zest and zeal, when properly he might be said to be in neither. He had had great place, and he had deliberately sacrificed it rather than forego his opinions: it had been offered to him again, and he had declined it sooner than abandon the line he had chalked out for himself. He sat on

the left hand of the chair, and found fault sometimes with Government measures; yet far from being in opposition, he was ready to strain a point any day to save Ministers from defeat. He sympathized with no one probably so much as with Sir Robert Peel. "Peel's position," he said, "is an extraordinary one; and he is determined to enjoy it. He has a great fortune; he has shown himself *capax imperii*, and exercises great influence over public affairs. He does not want to be the head of a party, and neither desires nor expects office, though he is not bound never to take it again."* Sir Robert was as industrious as himself; and would have felt it to be an affront had any one suspected him of being ignorant of the contents of any blue book in the library. But to him committee work was often irksome. He had no enjoyment in turning a witness inside out; and his inveterate shyness rendered him frequently as ill at ease, when thrown into contact with half a dozen strangers and enemies in a committee-room, as he constantly was in society. It was otherwise with Sir James. He would listen with mingled amazement and amusement, to some marvellous romance of pseudo-science from the lips of a chemist or an engineer; put a quiet question or two, without dropping a hint of the impression it had made on his mind, just to fix the empiric irretrievably with his pretentious imposture; and then spend half the evening reading 1849.

* Conversation with Mr Greville, 20th June, 1847.

1849. up, to be ready to cross-examine him the next day, which he did with a tone and air of calm superiority and scrupulous politeness, that often excited the envy and admiration of the less finished practitioners who sat on the other side of the table.

But there was for him a still higher pleasure in committee work. He loved analysis for its own sake, and felt no trouble great that enabled him to complete it. He knew that the elements of the social and political world were as varied and as volatile, often as antagonistic, and oftener as hard to hold together in solution, as those of the material world. With him government was an object of enthusiastic study, in which every day he hoped to discover something new; and far from rejecting an unexpected fact or conclusion, because it modified or upset part of an old theory, he grasped at it with positive delight, and seldom hesitated to avow that he had been hitherto mistaken. He was thoroughly imbued with the spirit of inquiry; and was as patient in the process of investigation, as other men were impatient to learn its result. The driest and most difficult subjects did not repel him. In 1848 we find him attending the Committee on Scotch Entails four times; that on Lunatic Asylums three; that on Railway Bills four; that on public business five times; that on the Ecclesiastical Commission nine out of sixteen times, that it met; that on Commercial Distress twenty-five times out of thirty-six; and

that on Army and Navy Expenditure, thirty-six times out of thirty-nine. Those who sat with him in these committees can best tell what sort of a member he made. He was also a member of the committee appointed early in the Session of 1849, to inquire into the system of Irish Poor Relief. He soon became convinced that the pressure of distress in the southern and western counties was, and would for a considerable time continue to be, greater than local property and industry could bear; and feeling that in the existing temper of the House of Commons, it would be vain to propose further grants from the imperial exchequer, he turned to an expedient, which in ordinary circumstances he would have deemed inadmissible, and threw out the notion, that as Ireland was still specially exempted from contribution to the Income Tax, it should be made liable to the payment of a general Rate in Aid, to provide for the support of its own poor. Ministers embraced the suggestion; and though it was warmly combated by some whose opinions they valued highly, notice was soon afterwards given of a bill to carry the proposal into effect. The inhabitants of Ulster and of portions of Leinster became alarmed at the threatened imposition of a burthen, which they feared would quickly reduce them to the same level of destitution, as the desolated regions beyond the Shannon and the Suir. Men of all creeds and parties united in angry deprecation of the bill. Excited

1849.

Rate in Aid for Ireland.

1849. meetings were everywhere held; and petitions were sent to Parliament, threatening all manner of evil consequences should the measure be persisted in. Orange squires loudly talked hypothetical Repeal; and Presbyterian zealots shook Catholics by the hand when they met to denounce the impending measure. Sir James, who felt that he was its real author, grew uneasy. His tone of conversation and whole man-
30th Mar. ner at this time, says one who knew him well, was sad and serious. He looked with despondency on the state of Ireland, and was greatly alarmed at the opposition shown in Ulster to the Rate in Aid, which he feared might lead to political consequences. He thought Ministers should have been prepared to reconcile people to it by proposing a revision of local taxation. The first of March having been fixed for the discussion of the measure, the House filled early; and there were all the symptoms of an approaching struggle, in the tone and manner of the casual talk of the lobbies and corridors. A few minutes before five o'clock, Sir James sent word to Lord John that he wished to speak to him. His object was to endeavour to dissuade him from going on with the bill. "But the thing is impossible," said the Minister; "we are pledged to it. I must make my statement immediately; and whatever comes of it, we cannot give it up now." "I see all the difficulty of your position," he replied. "and if it will relieve you from any part of it, you are quite at liberty to state

publicly, that though I was the person who first suggested a Rate in Aid, I have advised you not to force it on, in the face of public opinion so strongly pronounced against it. But it would be most injurious and embarrassing if you should fail; and the feeling appears to be so hostile, that I do not believe you can carry it." Disheartening as this was, Lord John resolved to persevere. The debate was long and animated; and at its close the second reading passed by a large majority. 1849.

It was a knowledge, perhaps, of characteristic incidents like these, that led M. Guizot to form an estimate of the statesmen among whom Sir James was conspicuous, which can best be given in his words. Writing since his death, he says:— M. Guizot's opinion of the Peelites.

"During my sojourn in London I often saw Sir J. Graham; and we frequently conversed both on general subjects, and on the events and politics of our time. He was the intimate friend of several of my intimate friends,—among others, of Lord Aberdeen; but I never had any intimate relations with him myself. I saw in him an eminent representative of a class of men whom I much esteem, though I think them too irresolute in their ideas and conduct, and rather too complaisant to the popular humour. He was one of those Liberal Conservatives, who while defending public order and authority, knew how to comprehend and to concede at a suitable time demands made, whether rightly or not, by public opinion, either enlightened or led away by impulse. Such men would not save the Government or institutions of their country in days of revolution; but they serve it usefully in times of law and order,

1849. and help it to make without shock considerable progress. They are skilful pilots when you have but to follow the current; but they are far from fit to hold the helm when you must struggle against the storm."*

A letter addressed to Mr Everett may not be thought undeserving of a place in the recollections of this year, as containing traces of the depression to which allusion has already been made.

"Grosvenor Place, 15th July, 1849.

"MY DEAR SIR,

"'The grandson of my old colleague, Lord Wharncliffe, the eldest son of the present Lord, is about to visit the United States, and has requested me to give him a letter of introduction to you. I gladly comply, because I am anxious that he should become acquainted with all that is most worthy of notice and of respect in your country; and those who had the advantage of knowing you here, can never cease to regard you as one of the best and greatest of American statesmen. In trying and difficult circumstances, you proved the sincerity of your desire to maintain the most amicable relations between Great Britain and the United States; and now the adjustment of every difference, and the extended commercial intercourse, which the repeal of the Corn Laws and the Navigation Law will secure, as a bond of enduring friendship between the two countries, throw a bridge over the Atlantic, and render it as easy and as necessary for our youth to become intimately acquainted with the States, as it was for our forefathers to make the tour of Europe and to visit Paris. If I mistake not, they will return from their

* Letter of M. Guizot to the author, 27th Sept. 1862.

intercourse with you, improved not corrupted in their tastes and habits; and better qualified to take part in the future government of this country. Any kindness which you may show to my young friend, will be thankfully received. He is an officer of the army, but he is anxious to acquire information. 1849.

"I am writing in the room and at the table which were once so familiar to you. It is sometimes melancholy to reflect how unchanged are these material things, while we, their owners, perish and pass away. Still life is long enough, even to the prosperous; it is wearisome to the sad and the unfortunate.

"I trust you and yours are happy in the enjoyment of it; and with every kind wish and with feelings of sincere respect, I remain always, my dear sir,

"Yours very faithfully,

"J. R. G. GRAHAM."

Improved condition of estate.

The progress of consolidation on the Netherby estate had been gradual but steady, and the changes it had wrought were very perceptible. Comfortable dwellings and good homesteads, well-stocked pastures, and even-drilled turnip fields, everywhere met the eye. "We ought to feed more and plough less," was the laird's earliest advice, which increased experience did not lead him to modify. On the contrary, he desired every year to see less wheat grown in the border country, which he thought naturally better suited for cattle farming. Some, who wished to depreciate the value of his authority as a politician, would have had it

1849. believed that he was actuated only by a selfish desire to evade the consequences of Free Trade; and that conscious of the mistake made in 1846 by abolishing Protection, he was bent on trying to save himself and his tenantry from its consequences. A man more careful or cowardly as regarded his reputation, might have sought to avoid a theme so suggestive of taunt; but that was not his way. While agricultural depression was at the lowest, and the bitter cry of a "forsaken party and an undone class" was still loud, he never failed to reiterate his old maxim, "More stock and less wheat." His hearers in Cumberland understood well that he did not mean thereby, as was wrongfully imputed to him, the disuse of husbandry, and the laying down land in grass, with a view to the general creation of wide-spread tracts of unbroken pasture; but in order that by the due adoption of a greater breadth of green crops, and the practice of house-feeding and dairy-farming, the landholders of the Border might be able to make of the soil the most of which it was capable. To recover lands which had been run out, he took from time to time a considerable tract into his own hands, draining it thoroughly, and laying it down with the utmost care to grass. But fine tillage was the object of his greatest admiration and delight; and he used to say that there was no plant in the conservatory that afforded him so much

pleasure to look upon, as a first-rate turnip in one of his tenant's fields. He had no other theory about the size of farms, than that the occupiers should have capital enough to work them. Uniformity he despised and disliked, as begotten of an arbitrary will, and as essentially opposed to the law of adaptation to varying circumstances, the cheerful recognition of which he deemed the highest wisdom. He had no objection to take a new man as tenant, who seemed to combine aptitude with ability to do justice to the land. But he parted with an old resident on the estate with regret; and it was not often in later years that such a separation took place. Many of the old men who remembered his grandfather, and a still greater number who had held under his father, retained possession of three farms under him.* 1849.

Cultivation of Flax.

During a visit he had paid in the autumn to his relative, Lord Dufferin, in the county of Down, he had heard much of the efforts making in Ireland to extend the cultivation of flax; and remembering how often he had seen it growing in his own neighbourhood when he was a boy, he began to think whether

* Since his death the local obituary records the name of Mr Richard Carruthers, of Hornickhill farm, near Longtown, at the age of 93, whose father had held under Doctor Graham, and who had himself remained in possession under the first and second baronet; likewise of Mr John Birrel, of Guards farm, Kirkandrews, at the age of 73, who had also spent his whole life on the Netherby estate.

1849. it might not be worth while endeavouring to re-introduce it as a crop in Cumberland. He made himself master of all the information the Irish Flax Society could afford him; and on his return home often talked the matter over with his most improving tenants. They did not encourage him in the notion, assigning a variety of reasons for their belief that in a four-course shift, flax would not pay. He was not to be easily persuaded however, and tried some acres of it himself, during several successive years. The results were less favourable than he had anticipated.

In reply to a proposal by a colonist (sent to Sir R. Peel by Mr Sandars, and subsequently forwarded to him), that the Colonies should be represented in the British Parliament, Sir James wrote the following letter:—

"Netherby, 22nd November, 1849.

"My dear Sir,—

"Sir Robert Peel has forwarded to me, in compliance with your wish, the two letters which I now return. I have read them with painful interest; and I am obliged to you for the opportunity of considering a subject, which is so difficult, presented in so clear a light. The approaching danger which threatens the loss of our American Colonies is only too apparent: the remedy proposed is much more doubtful. It is quite certain that the national character of the British Parliament would be annihilated by a large infusion of the colonial element; it is uncertain whether

the change would avert the evil which it is intended to cure; and if this be the balance of the odds, I would rather run any risk than destroy the British House of Commons with our eyes open. It is possible that some of our Colonies may have grown to the 'bone of manhood,' and may assert their independence. Real statesmanship will be required to break the shock of this disruption, and to secure an amicable separation, without the scandal of an open quarrel. This emergency may be approaching, and may, perhaps, become ultimately inevitable; but by management, it may be staved off for a time; and, in the present position of affairs, both at home and abroad, to gain time without further change is the triumph of political sagacity. The United States have also their own internal difficulties. The question of Slavery, as their territory is enlarged in the South, becomes every day more urgent and embarrassing; and if we are in danger of losing our Colonies, the dissolution of the Union itself is not less probable. Every day teaches us, more and more, that in politics long-sighted views are generally fallacious. He is the successful statesman, who seizes opportunities as they arise, and bends them to his purpose and to his will. The current of events may be directed, it cannot be turned. 1849.

"I am always

"Yours very faithfully,

"J. R. G. GRAHAM.

"Joseph Sandars, Esq."

His disposition to render effective aid to the Government showed itself in many ways. When the Australian Government Bill was first introduced, it appeared likely to encounter very serious opposition Australian Colonies Bill.

1850. from Mr Gladstone, Mr Disraeli, Sir W. Molesworth, and their respective friends. Sir James apprehended that such a combination upon the question would prove too strong for Ministers. He took care to warn them of what he supposed to be the danger, adding that Sir R. Peel and he were willing to lend their aid, if they knew in time what was really intended regarding the measure.* The Bill was put off for some time, and when brought forward it encountered no little opposition from those who considered it too theoretical; and as being an attempt to anticipate the development of constitutional wants in colonies of unequal age, and to impose on them prematurely the adoption of forms more or less unsuited to their condition. The part of Lord Grey's scheme, which provided for the creation of a federal representation, was withdrawn; but the remainder of the bill became law.

Happening to sit next Mr —— at dinner at Grillon's, on the 8th March, he talked a good deal to him respecting the position of the Government, which he thought bad. "Besides the scrapes they had got into on Colonial questions, there was," he said, "the Greek business, which was likely to prove very embarrassing. It was one of the things that made him glad he had not taken office in the preceding year. Had he been at the Admiralty he could not have acquiesced in sending the fleet to the Piræus, as had

The Greek question.

* 22nd February, 1850.

been done, to exact compensation from the Greek 1850.
Government; and if he had refused, he might have been a second time the cause of breaking up a Whig Cabinet, which he certainly had no desire to be. On this subject as well as others he foresaw that Aberdeen, Gladstone, and Goulburn would side with Stanley. They did so when the question came to be discussed after Easter; and a majority of the House of Lords adopted a resolution, condemnatory of Lord Palmerston's foreign policy. Mr Roebuck immediately gave notice of a counter-resolution in the Commons; which led to a debate in every way memorable. Mr Cobden and Sir W. Molesworth, Sir R. Peel and Sir J. Graham, with their immediate friends, concurred with the Opposition in resisting the motion. Many great speeches were delivered on the occasion, those of Mr Cockburn and Lord Palmerston on the one side, and of Sir James and Mr Gladstone on the other, being perhaps the most striking. But there was one which, though less eloquent and less pretentious than any of these, made a still deeper impression. It was the last delivered by Sir Robert Peel; and therein he left to his country, as a political testament, the admonition to beware of giving cause to the minor states of Christendom to complain of a domineering or dictatorial spirit on the part of England; and wherever it was possible to avoid an appeal to force. He dealt leniently with what he deemed the errors of the Government, and struck at

1850. them only with a gloved hand. He would probably have been little gratified had they been defeated; for he could hardly at that time have hoped to form an Administration: and he certainly did not desire to see the Protectionists in power. As he quitted the House after the division, in which Ministers had a majority of forty-six, it was remarked that he seemed in high spirits, and in no degree exhausted by the lateness of the hour. It was broad daylight, and one who walked near him to Whitehall Gardens, remarked how elastic and rapid was his step. His admirer little dreamed that he would never see him again. Late in the afternoon of that day, when returning from his usual ride, he fell from his horse on Constitution Hill, and was taken up insensible. The news spread quickly; and Sir James was among the anxious friends who in the course of the evening hastened to inquire for him. During the three days of suffering which succeeded, he was seldom long absent from the house of his dying friend; and not long before the end, Sir Robert spoke earnestly and affectionately to the companion in so many undertakings, and the counsellor in so many difficulties, from
2nd July. whom he was about to part. To the crowd who waited without, Sir James spoke in a low and shaken voice, and then hurried away.

He regarded the death of Sir Robert Peel not more as a personal loss, than as a public calamity. No sentiment of jealousy or rivalry seemed to chequer

his feelings of attachment and admiration; and 1850.
nothing could be more unlike the political emotions, which some at the time attributed to him, as consequent upon the event, than those with which he was really filled. The death of Sir Robert Peel seemed Leadership of the Peelites.
to many likely to place him in a more responsible
position; and one of the Ministers observed to him
soon after in conversation, "that henceforth he would 16th July.
be looked upon as the head of the Peelite party." He at once put aside the suggestion, as one which he would never entertain. He felt himself to be wholly unqualified for the task of keeping men together as a party. He was conscious that he had no political followers, and he desired none. But he admitted that he was extremely anxious to see his recent colleagues and their friends hold together, as he thought they might exercise a very salutary influence, under existing circumstances. He disapproved of Lord Stanley's tone on the Irish Franchise Bill, which he thought inconsiderate and irritating; and it was clear that the Protectionists still clung to the hope of being able to reverse in some degree the policy of Free Trade. A short time before his death Sir R. Peel, when speaking to him on this subject, had said with more vehemence than was usual with him, that there was nothing he was not prepared to do, to prevent the re-imposition of a duty on corn; that there were no alliances he was not ready to form, and no measures from which he would shrink, for

1850. that purpose; and that though he was indisposed to re-enter official life, he would take office or do anything else that might be necessary, to prevent the restoration of a Protectionist system.

In acknowledging a letter of condolence from Mr Sandars, he wrote:—

"Grosvenor Place, 16th July, 1850.

"My dear Sir,

"I felt quite certain that you would deeply and sincerely regret the irreparable loss, which the country and Sir Robert Peel's friends have sustained, in his untimely death. Sorrow and compassion are the first natural sensations to which this unexpected event has given rise; but those who meditate and look forward will see reason for apprehensions mingled with their regret; and, if I mistake not, in the midst of dangers and of difficulties, which are evidently drawing near, the want of his commanding influence, of his prudence, of his moderation, and of his patriotism, will be felt more and more to be a severe national calamity. It was of old the highest praise 'never to despair of the commonwealth.' While, therefore, I still linger on the stage, I shall endeavour firmly to do my duty; but my heart is estranged from it; and as you truly observe, I now stand alone. When Burke reminded us in his beautiful language, 'what shadows we are, and what shadows we pursue,' he went on to remark with respect to himself, that 'the future is in wiser and in better hands than ours,' and He in whose 'hands it is, alone can know whether it is better for me that I should be in Parliament or even in the world.' It is this spirit of patient submission and of tranquil dependence which I strive to cul-

tivate; and, come what may, though I have lost a friend, I have enjoyed his confidence and intimacy for many years. 1850.

"I am

"Yours very sincerely,

"J. Sandars, Esq." "J. G. GRAHAM.

It was in the autumn of this year that he was persuaded, though not without difficulty, once more to show himself at one of the county gatherings, where formerly he had been so constantly reckoned. Several of his old supporters in Cumberland anxiously wished that he would allow ties to be reunited, which the unhappy differences of 1837 had severed. But years had not healed the sore; and they found it hard to induce him to listen to their suggestions. On the eve of the Agricultural Meeting of the county in September he agreed, however, to comply with their desire to be present at the show, and to attend the dinner. He met a more general welcome than he probably had anticipated; and when in the course of the evening his health was given by Lord Carlisle, and associated with the recollection of all he had done for Border Agriculture, he did not conceal his more than gratification at the way in which he had been received. The greeting of so many old friends from whom he had been for years estranged, touched him to the quick. It was as if he heard the voice of youth again; and every word that fell from him bespoke the wish to linger in County Agricultural dinner.

1850. the memory of old times. The happiest occupation of his life, he said, had been, in common with those he saw around him, to cultivate and improve their native soil. Much praise had been bestowed on the enterprising and improving spirit of the proprietors of the county, but justice had scarcely been done to the tenantry themselves. In one point he differed from his friend Mr Rigg, who had spoken before him, namely, when he claimed to be the oldest farmer present. He was rather disposed to dispute the title with him. He had been an early attendant at the meeting at Workington, and he could not forget the deep debt of gratitude which they owed to Mr Curwen, who had been their originator. Mr Rigg had said he was never an unsuccessful candidate. They were all aware that that was not always his position; but he agreed with him that it was best never to quarrel with the judges.

Assumption of Catholic Diocesan Titles.

Early in October, a letter from Cardinal Wiseman appeared in the public prints, dated from Rome, announcing the restoration of Catholic dioceses in England, and congratulating the faithful upon the return of the long alienated realm, to its former orbit in the system of Catholic unity. The use of territorial titles had been forbidden since the Reformation by prelates in communion with Rome; but public opinion had changed so much on questions of the kind, that it was believed, on doubt, by many that no serious objection would

be made to their resumption: and, as we have seen, several leading statesmen had recently urged on Parliament, the policy of recognizing in Ireland the Catholic episcopate. Sir James had always entered cordially into this view; he saw therefore with regret the popular resentment which was evoked by the announcement above referred to. Still greater was his concern on reading the celebrated letter of Lord J. Russell to the Bishop of Durham, in which he intimated the probability of steps being taken to prevent the use of Catholic diocesan titles. This letter became the signal for public meetings, at which strong resolutions were passed against what was designated the Papal Aggression on the Established Protestantism of England, and petitions to Parliament adopted, calling for restrictive legislation. Popular feeling daily went higher and higher; and there had not been such a ferment in men's minds since the trial of the Seven Bishops on the eve of the Revolution. From the first Sir James made up his mind that, for one, he would not go with the stream; and when asked to sign the requisition for a county meeting on the subject, he addressed to the High Sheriff, Mr Howard of Greystock, a letter containing his reasons for refusing.

1850. 4th November. 23rd November.

A letter of remarkable ability, signed "Carolus," appeared in the *Times* early in December, deprecating strongly any revival of penal legislation, on the subject of what was called the Papal Aggres-

1850. sion. It was from the pen of Mr Charles Greville, whom Sir James called upon when passing through town, on his way to Windsor, where he had been invited to stay three days. Their views were entirely in unison on the subject, and Sir James told him "he was quite ready to face public opinion in a matter where he felt clear that it was in the wrong, and led away by temporary excitement." Some allusion having been made to his re-entering office with the Whigs, he said that this new phase of the Catholic Question, would in itself present an insuperable obstacle. But whatever might be the consequence, he had made up his mind to declare his opinions as soon as Parliament met, and they were decidedly against any new form of anti-Catholic legislation. He rejoiced to find that Lord Aberdeen, the Duke of Newcastle, Mr Sidney Herbert, Mr Gladstone, and nearly all who had held office under Sir R. Peel, concurred in his views on this painful and difficult subject; and he soon learned that among those most closely identified with Ministers, there were many who in private, and not a few who openly deprecated interference as unnecessary and unwise. From the outset he avowed his resolution to oppose legislation in every shape; and he kept his word.

Views of the Papal Aggression. 11th Dec.

Mr Disraeli's motion on Agricultural distress.

In the Speech from the throne, it was stated that agricultural distress prevailed throughout the United Kingdom; and on the 13th February, Mr Disraeli, in an able and ingenious speech, moved as a resolu-

lution, "that the severe distress which continues to exist in the United Kingdom among that important class of her Majesty's subjects, the owners and occupiers of land, and which is justly lamented in her Majesty's speech, renders it the duty of her Majesty's Ministers to introduce, without delay, such measures as may be most effectual for the relief thereof." There was nothing in its general tenour to prevent friends of Free Trade from supporting it; and several tried and sincere opponents of Protection did so accordingly. But party feeling at the moment ran high. There had been during the autumn loud talk of Protectionist reaction. The death of Sir Robert Peel had weakened, as was supposed, the power of maintaining the policy of 1846; and Sir James Graham thought he saw in Mr Disraeli's resolution the preparatory step to re-imposing a duty on corn. 1850.

Speech of Sir James

"I am bound," he said, "to put the best interpretation I can upon the mystical expressions used last year and this year, and reading them by the aid of the glossary of the Duke of Richmond, I put an interpretation upon them last year, and to that I now adhere. Remembering that it is said that they 'as Ministers would have a right to impose a duty upon foreign corn,' and that it is also said it would not be right to attempt to impose that duty in the present Parliament, I come to the conclusion that the object of the hon. gentleman and his party is, to turn out the present Administration, to dissolve the Parliament, to return to Protection

1850. in the next Parliament, and to reimpose a duty upon corn. That is the interpretation I put upon the hon. gentleman's speech last year; and that is the interpretation which, upon the whole, I am disposed to put upon it now. Frankly avowed, there can be no more legitimate policy for a party. I know not what the result of that attempt might be. I think it would be a dangerous attempt, inconsistent with the preservation of the peace of the country and with the safety of property, and an attempt which I could not agree to join in making. On the other hand, I see very plainly that we are on the eve of a great and serious struggle. I see a party of gentlemen in this and the other House of Parliament, powerful in numbers, powerful in the respect in which they are held for their personal and hereditary virtues, having great influence in the country, and great possessions; they are an interest which, up to the present moment, has commanded great influence with the Government; and, with the community at their back, they exercise a power upon any question which is irresistible. This powerful party have in this House no insignificant leader. The hon. gentleman (Mr Disraeli) is the accredited leader of that party. I may say that very early I appreciated the great talents of that gentleman; and the time has now arrived when it is impossible for any one to gainsay or undervalue his commanding ability as a debater in this House. But this is not all. The leader of this party in the other House (Lord Stanley) is a noble lord, ever foremost in the battle, of dauntless courage, of eminent ability, and of spotless character. I have stood beside him in the fray, and I know how formidable is his vigorous attack, and how broad is his protecting shield. With such opponents it behoves us to gird up our loins. I know not whether the watchword,

'Up, guards, and at them!' may not already have been given. 1850.
It is clear to me that the opponents of Protection must prepare for a severe conflict. They must stand upon the defensive. They must stand to their arms, and close their ranks, and prepare for a firm, manly, and uncompromising resistance. There is one point to which I wish to advert, but my heart is so deeply grieved that my tongue almost refuses to utter what my feelings dictate. The author and the champion of that policy which I think it is the tendency of this motion to reverse, has been withdrawn from us. He has ceased from his labours, and is at rest. He no longer shares in the angry strifes and conflicts of this House. But although dead, he still speaks; and from the tomb I still hear the echoes of his voice resounding within these walls. I well remember the memorable words that closed the peroration of the magnificent speech which he delivered last Session, in answer to the hon. member for Buckinghamshire, when he said,—'I will adhere to the opinions I have expressed, and I earnestly hope that I may never live to see the day when the House of Commons will retrace its steps.' He is gone; and may Heaven avert the omen that the House of Commons is about to retrace its steps! My voice may be feeble, and my power insignificant; but, sir, my part is taken. I hold it to be a sacred duty, and a sacred trust, to defend that policy to the best of my ability; and as a proof of my sincerity, as an earnest of my firm determination, I shall give my unhesitating vote against this motion."

He proceeded to grapple with the various arguments that had been used in support of a revision of taxation, for the special purpose of relieving the "They know the reason why."

1850. landed interest; and concluded one of the most effective speeches ever delivered in our time, in these remarkable words:—

"I will not venture to make any prediction with respect to the price of corn in future; but this, sir, I say, that be the price what it may, the time has arrived when it must be left to find its natural level; and that for any Government or for any legislature artificially and by power of law to enhance it, I say the day is gone by. And why do I say so? I say there is not a plough-boy who plods his weary way on the heaviest clay in England, who does not feel practically his condition improved within the last three years: and he knows the reason why. I tell you there is not a shepherd on the most distant and barren hills of Scotland, who does not now have daily a cheaper and a larger mess of porridge, than he ever had before: and he also knows the reason why. I tell you again, there is not a weaver in the humblest cottage in Lancashire who has not fuller and cheaper meals, without any fall in his wages, than he ever had before: and he knows the reason why. Now I must tell you the whole truth. The time has arrived when the truth without concealment must be spoken. I will speak of another class still. There is not a soldier who returns to England from abroad, that does not practically feel that his daily pay is augmented, that he has a cheaper, a larger, and a better mess, and that he enjoys greater comforts: and he also knows the reason why. Now, sir, I entreat my honourable friends who sit below me to be on their guard. You may convulse the country, you may endanger property, you may shake our institutions to the foundation; but I am satisfied that there is no power in Eng-

land, which can permanently enhance, by force of law, the price of bread. That, sir, is my honest and firm conviction. My own possessions are as dear to me as those of any hon. gentleman who sits on the bench below me. But I feel that we have arrived at a period when it is necessary to speak the whole truth, and to bear it in mind; and I have spoken it without reservation." 1850.

After two nights' debate the House divided, when there appeared for the motion 267; against it 281.

After a brief debate on the 20th of February, Mr Locke King carried a motion against Ministers in favour of a £10 county franchise, by a majority of 100 against 52. On the following morning, before the immediate consequence of the defeat was known to him, Sir James wrote, saying "the Government and more than a Government was doomed." The *Times* had already pronounced sentence of death on the Administration; and the sooner execution took place the better. Vague promises of democratic change, whose realization was indefinitely deferred, were very dangerous, and in the present case they had obviously proved fatal. Mr Locke King's motion for £10 franchise.

The Ministry resigned; and Lord Stanley was on the same day sent for by the Queen. His difficulties, he confessed, were so great, that he advised that an attempt should be made to form a coalition Government by the late Ministers, and the friends of Sir R. Peel. On the evening of the same day Sir James and Lord Aberdeen were commanded by the Queen 22nd Feb.

1851. to attend at Buckingham Palace, when her Majesty informed them that Lord Stanley not being then prepared to form an Administration, she had empowered Lord John Russell to endeavour to reconstruct one, and suggested that they should meet his Lordship in an amicable spirit,—a command which they forthwith obeyed. There were three leading points of national interest to be considered. On the first, the Free Trade policy, there could be no difference between them; neither could there be any difference on principle as to the extension of the suffrage,—a question which Sir James was not unwilling to entertain, "with the reservation, that he could consent to no extension he did not believe consistent with the maintenance of the existing form of government." With respect to the Ecclesiastical Titles Bill, however, notwithstanding some modifications promised by Lord J. Russell, he could not reconcile it to himself to be an assenting party to the measure before the House. The proposed modifications might render the bill for all practical purposes inoperative, while it would still be regarded as penal and offensive, and as opposed to the policy of the last twenty years. Upon this point, therefore, the difficulty in the way of a junction was insuperable. Both he and Lord Aberdeen knew that this ground was an unpopular one, but they were convinced of its soundness and policy.*

* Statement of Sir James in the House, on the 28th February, 1851.

Lord Stanley was again sent for, and requested to form a Government. He stated his conviction, that without the aid of some of the Peelites, he should not be able to do so; but he was ready to make the attempt, and he accordingly offered Cabinet offices to Lord Canning and Mr Gladstone. The latter declined upon the question of Free Trade. The former was not committed to the same extent upon the subject, having taken little part in its discussion in the Peers. He consulted Sir J. Graham, who advised him to take the Foreign Office, if he felt he could do so without any sacrifice of consistency. Sir James assigned as his reason for so doing, that he believed a Protectionist Government inevitable; and that it would be better for the country, it should contain men of character and experience, and thus have a fair chance of maintaining itself for a time. To a man like Lord Canning, the offer was a great temptation, as he had never been in the Cabinet; and though he highly appreciated the feeling which led him to refuse, neither he nor Lord Aberdeen would have blamed him had he joined. A second time therefore Lord Stanley relinquished the task confided to him, assigning as the cause, his conviction that the friends of Sir R. Peel were resolved to make use of their great ability and influence only to frustrate the formation of any strong Government. the Whigs consequently resumed office. When stating to the House what had occurred, Lord J. 1851. Ministerial Crisis.

1851. Reconciliation with Lord J. Russell.

Russell took occasion to express the personal "satisfaction he felt at having renewed with the right hon. baronet, the terms of friendship by which they were formerly united, and which during the struggles and difficult circumstances that occurred up to the dissolution of Earl Grey's Government, it was his pride and gratification to enjoy."*

Sir J. Graham said that he "cordially reciprocated every sentiment of kindness which the noble Lord had uttered; and he would gladly renew the terms of friendship which formerly existed so long between them. They had been contemporaries in public life; they were at one time intimately associated in the bonds of kindness, he had almost said of affection; and he now begged to express a hope that he might be permitted again to call him, in all sincerity, his noble friend. When the history of the last thirty years should be recorded, there were three leading transactions which would fix the attention of the historian,—the triumph of Religious Liberty, Reform, and Free Trade; and in all of them Lord John and he had had the happiness to be concerned." He regretted that he had not been able, when lately invited by her Majesty, to co-operate with him in the formation of a Government. Lord Aberdeen and he had not interchanged a letter during the recess; but on meeting in town, they found their views were identical as to the imprudence and unfitness of any

* Hansard, vol. xciv. p. 1033.

legislation on the question of Ecclesiastical Titles. The minority against the first reading of the Titles Bill was but sixty-three; but on the second reading it amounted, including pairs, to upwards of one hundred. 1851.

There seemed to be during the progress of the bill, a probability of amendments being introduced in committee, which would have rendered the measure more stringent; and Sir James consoled himself with the reflection, that in that case, it might yet be possible to throw it out on the third reading, by a combination of different sections, who could be got to agree upon no other ground. "If the Protectionists should come into office, they would, he thought, drop the measure, and say that enough had been done, to manifest the sense of the country on the subject. Some of the language which came from the Treasury bench made him very angry; and if he thought that it had the sanction of the head of the Government, he would oppose them *totis viribus*, and endeavour to put them out." Mr More O'Ferrall resigned the Governorship of Malta, to mark his disapproval of the bill; and being returned, in his absence, for the county of Longford, he re-entered the House in time to take part in the protracted discussions to which it gave rise. Mr Sharman Crawford moved in Committee, to exempt Ireland from the operation of the measure. The Peelites regarded this as incompatible with the principle of their objections; and the amend- Ecclesiastical Titles Bill. 18th March. 20th June.

1851. ment was lost by a large majority. The bill finally passed both Houses; and, as had been foretold by its opponents, proved wholly ineffectual for the accomplishment of its professed purpose. The Act was publicly denounced with every expression of defiance and contumely, by the heads of the Catholic body in Ireland. The interdicted titles have ever since been uninterruptedly used; and no Administration, whether Whig or Tory, has in any instance attempted to enforce the fruitless and abortive law.

Offer of the Board of Control.

Early in September Mr G. C. Lewis, then one of the Secretaries of the Treasury, visited Netherby. He was the bearer of a communication from the Premier offering the Presidency of the Board of Control, which was likely, it was said, to become a position of more than usual importance, in consequence of the approaching expiration of the East India Company's Charter. An intimation accompanied the offer, that Mr F. Peel was to be Under Secretary for the Colonies; and that the reversion of the War Office, with a seat in the Cabinet, should be offered to Mr Cardwell, on the death of Lord Panmure, which it was supposed could not be very distant. The first of these proposals was civilly but coldly declined. After all that had recently passed, Sir James felt indignant at being asked to take a secondary office in a Whig Cabinet; and though he did not express in his own house, to a guest whom he personally respected, and who had come so far to see him, all that he felt upon

the occasion, he took care to let his sentiments be otherwise known. "As to the notion of persuading him to join, by holding out hopes to Mr Cardwell of a seat in the Cabinet at some indefinite time, it was absurd. Lord Panmure might be ill; but he doubted if he was half as sick as the Government; and he was quite sure the latter would die before him. Mr Peel might do as he pleased; but for himself, the idea of shutting him up in the Board of Control, where he would necessarily be brought into constant contact, if not collision, with the Foreign Secretary, and not upon a footing of equality, was, he thought, no better than trifling." He would have none of it. He could hardly have forgotten indeed that Mr Canning, after several years of secession, had re-entered the Cabinet as Minister for India, and that, at a time when our empire in the East had not assumed the vast proportions it had subsequently attained. His rival Lord Castlereagh was, moreover, in 1816, Secretary for Foreign Affairs, and leader of the House of Commons. But there was this difference,—that Mr Canning had not been sent for, six months before, to form a coalition Cabinet, on terms of equality with the Minister who offered him the Board of Control. On this ground, therefore, the precedent did not apply. He was nettled likewise at finding that the Duke of Newcastle, about the same time, had been asked to sound him as to what he was disposed to do. "What was the 1851.

1851. need of this? Why had he not been asked to call at Chesham Place? But the truth was, he could do no good to the Government, and no credit to himself, by joining them in such fashion. Stanley must have his innings; and the elements of a great and powerful Liberal party could never be consolidated, except in opposition.'

Agricultural dinner at Carlisle.

At the agricultural dinner of the county this year Sir James presided. Among the guests was Sir R. Throckmorton, whose presence he welcomed, not only on account of his known services to husbandry of every kind, but as being the proprietor of the estate, whose improvements had early excited his own emulation and desire to be useful in the cause of landed improvement. In his speech when giving "Prosperity to the Agriculture of Cumberland," he took occasion to notice the variety of new mechanical inventions, with which he had been struck in the Great Exhibition.

"Amongst the many advantages which the country will derive from the Great Exhibition of this year, I know of none which will be more conducive to the general good, than the display of the improvements in agricultural implements. Judging from what I saw yesterday, I should say the reaping-machine as yet is an imperfect contrivance, susceptible of improvement, but still, I say, an implement of great promise. I doubt whether the threshing-machine, when it was first introduced, was not subject to as much adverse comment as has been applied to the reaping-

machine. True, it has been invented on the other side of the Atlantic. That, in my opinion, entitles it to the most favourable attention and consideration of Englishmen. It is the work of a distant brother, engaged in the same occupation as your own. This is the only rivalry I wish to see between the United States and England. We are brethren by birth —brethren in the love of freedom and of free institutions. Their prosperity is based on that which is the basis of our own, namely, industry applied to the cultivation of the soil; and every suggestion which comes from that quarter with respect to agriculture, is entitled to our respect and to our favourable consideration." 1851.

Up to this time he still retained his zest for the pleasures of the rod and gun. His old attendant when fishing, James Wilson, had grown feeble; and though his right hand forgot nothing of its cunning, the old man preferred to look on and watch the vicissitudes of the sport rather than undergo the labour so long his delight. One morning, Sir James spent an early hour or more, by the side of a familiar bend of the stream, that winds through the park of Netherby, but without his usual success. The waters were high, and the air fresh and clear. All looked promising to the angler's experienced eye, yet he could not tempt the fish to rise; and at length, weary of failure, he said to his silent companion, "Suppose you try it, Jeamie." "Give me the waand," said the old man, rousing himself; and taking the rod, after two or three throws, hooked a large salmon, which he Jeamie Wilson.

1851. duly landed after a short run. "There," he said, giving back the rod to his master, "it is the last time I'll ever handle it." Three days after, the poor fellow died. Years had begun to tell upon Sir James, and he soon afterwards gave up his out-of-door amusements altogether, making way, as he said, for the next generation.

CHAPTER X.

THE COALITION.

1852—1855.

THE feelings with which Sir James received the tidings of the *Coup d'Etat* in France, were little in unison with those of the majority of the class to which he belonged. The undisguised glee of West-End-dom, at the success of that bold conspiracy against the political life of a great people, filled him with care and gloom; and he thought it would have been a national disgrace, if the press of England had not protested loudly and long against the greatest crime of modern days. Nor was this with him a yielding merely to generous or philanthropic sentiment. He saw from the first that the substitution of despotic force for representative power, on the other side of the Channel, put an end to all hope of further retrenchment on this. Those who railed against the Income Tax, and who grumbled at Poor Rates, 1852. Coup d'Etat. 2nd Dec.

1852. being still too high, would soon find out to their cost, what it was to have Bonapartism restored by sudden violence in France. He had been no great admirer of the National Assembly; and all his opinions throughout life had been monarchical. But he had looked forward with hope to the re-establishment of a constitutional *régime*, when, as he expected, the many would tire of republicanism; and till then he was only desirous that, by other states, France should be given no provocation to arm. Henceforth all would be changed. They who win by the sword must, he well knew, hold by the sword. It might not always glitter nakedly in menace, or triumphantly drip with blood; but even in the scabbard, its sinister form would not be hidden from the eyes of men. In many ways the event of the 2nd December gave a new turn to his thoughts, and tended to modify the course which he subsequently considered it right to pursue. He was more than ever anxious for the preservation of European peace; for he believed that the flame once kindled, would not be easily quenched. He thought Government would be justified, meantime, in doing more than for many years they had done, to place the defence of the country on an efficient footing; and he early took up the idea of a re-organization of the Militia as a permanent force, which he preferred to an increase of the army. The Navy also must be liberally sustained in all its branches; and he sighed to think

that he could not now recommend reductions in that service, like those he had done twenty years before. The intelligence that Lord Palmerston was no longer Secretary for Foreign Affairs, confirmed his conviction that the days of the Administration were numbered, and that the Protectionists must speedily be admitted to power. 1852.

He came to town earlier than usual after Christmas; and learning that a friend of his was confined to the house by indisposition, he lost no time in calling on him. He was full of politics, and more unreserved than he had ever been before. He talked about Mr Disraeli's Life of Lord G. Bentinck, which seemed to interest him much; of the proposal made to him in the autumn; and of the national outlook for the future, which he was never tired of trying to scan through his telescopic vision. "Lord John had always said he could not go on without Palmerston, and he thought it would be a difficult matter to make out a case in Parliament for the dismissal. He must now die in the open field, with the harness on his back." Things could not go on as they were. The Peelites were divided in their leanings, some of them being more disposed than others to make it up with Lord Stanley. The Whigs till lately had been more united. But rivalry of the two sections was natural enough; the Whigs hated the Peelites, and the Peelites the Whigs; and this must continue while the Government remained exclusively in the hands of the latter. A four-hours' talk. 8th January.

1852. It would not do to try and patch up the existing concern. It must come to an end ere long; and "there must be a *tabula rasa* before anything useful or creditable could be done. Lord Aberdeen and Lord John might then be sent for, and desired jointly to form an Administration upon a broad basis, including every man pre-eminently fit for office, without regard to former preferences or connections." The conversation lasted for upwards of four hours.

Lord Derby, at the opening of the Session, censured language held by the English press, regarding Napoleon III. Lord Harrowby thought our journals had truly expressed the national feeling, as they had a perfect right to do: Sir James took a similar view. A new Reform Bill was announced, based on a £5 franchise in towns, and £10 suffrage in the counties, and a transfer of forty seats from close boroughs to populous and wealthy places. A bill to re-organize the Militia had been likewise prepared, and was forthwith brought in. Its second reading passed without opposition; but on the first clause an amendment of Lord Palmerston proposed to substitute the term "national" for "local." This was held to indicate a wish to change not only the frame but the spirit of the bill; and being carried by the support of the Tories in a division of 135 to 126, Lord J. Russell declared his intention to resign.

The Peelites having again declined to take office,

Lord Derby undertook to form a Protectionist Administration. When the House met after the adjournment, Sir James said it was time for him to come down from his perch, and to take his place once more by the side of those with whom he no longer had any personal or political difference; and during the Session, he occupied a seat on the front bench in Opposition. Lord Palmerston, Mr Gladstone, and Mr Sidney Herbert took their seats also in Opposition, but below the gangway. A new Militia bill, embodying the views of Lord Palmerston, was opposed on the second reading by Lord J. Russell and Sir J. Graham; but with some modifications it was carried by a large majority. On the other hand, a proposal to dispose of the forfeited seats for Sudbury and St Albans, by conferring them on Lancashire and the West Riding of Yorkshire, was opposed by Mr Gladstone, on the ground that the whole question of the representation must speedily be dealt with by Parliament, and that pending such decision, no partial allocation of seats should be made. All sections unconnected with Government agreed in this view; and the proposal was consequently rejected. The Financial Statement of Mr Disraeli contained a candid acknowledgment of the success of the policy of Free Trade. Unrestricted competition had been established by the legislation of successive years; and he and his friends did not seek to disturb it. Some compensation for the loss the landed interest had

1852. Lord Derby's programme.

1852. suffered, might indeed be made in an equitable revision of taxation. But in an expiring Parliament this was not to be thought of; and he therefore deferred entering into its consideration, until the assembling of a new House of Commons. It was thus clear that one more great party battle must be fought, before the protracted war of classes was brought to a close; and on both sides preparations began to be made, soon after Easter, for a general election.

Invited to stand for Carlisle.

For some time the feelings which had once been so strong in favour of Sir James had shown signs of reviving; and the leading members of the Liberal party began to feel, that the offence which had aroused their indignation some fifteen years before, had been amply atoned for, by those years of exclusion from the representation of his native county. Remembering also his long career of public usefulness, and above all the part he had played in the struggle for Reform and Free Trade, and feeling that on all the main questions of public importance they were virtually at one, it was resolved that at the first opportunity, an attempt should be made to restore the right hon. baronet to the representation of Carlisle. At that time the members were Mr P. H. Howard, of Corby Castle, and Mr W. N. Hodgson; and as the period for a general election approached, Mr Howard agreed to retire, in order that the Liberals might unite to secure the return of two representatives. On the 15th of March,

1852, a requisition to Sir James Graham and Mr Joseph Ferguson was set on foot; and such was the warmth of its reception, that it soon obtained the signatures of nearly 500 electors. A placard posted on the walls of the town on the 24th of March announced his candidature, his expected arrival from London on the following afternoon, and his intention of addressing the electors the same evening. This announcement produced much excitement. The arrival of Sir James was looked for with anxiety; and as the time approached, the streets were thronged with persons wending their way to the Citadel Station. A body of gentlemen, consisting of the leading members of the Liberal party, awaited him there. His appearance was hailed with a hearty cheer; and a cordial greeting took place between Sir James and the leaders of his former constituents. He was conducted with acclamations to the Coffee House Hotel, where in the course of the evening he addressed the electors. His first words were—"Well, gentlemen, the wanderer has returned." His hearers had expected much; but they were not prepared for this. In one brief phrase, it admitted or implied more than any one who stood by had dreamed of asking for. The whole history of his former connection with the Border city and county, of his quarrel with the popular party, of the mutual sense of wrong thereby engendered, of his long political exile, of unconfessed remorse upon the one side at the harsh- 1852. "The Wanderer returned."

1852. ness wherewith he had been treated, and of unconfessed regret upon the other for many a hot and bitter word which had been spoken,—all was brought back for a moment, but only to be buried by mutual consent; and thenceforth forgotten. The emotion, caused by such an acknowledgment,—more feeling and comprehensive than any explanation on his part could have been,—was deep and lasting. He reverted to the period when he had formerly represented the city, and to the leading public incidents which had occurred in the interval. He knew not if any were disposed to challenge his right again to claim their suffrages, or to question his past conduct. But if there were, he was ready to meet any interrogatory.

The fair test of public men.

"I tell you, however, not for myself, but for the sake of public men, and in the interest of the community at large, not to pry too closely into the flaws in the character of public men. Do not hunt too closely into every particular of their conduct; but look to the general tenour of their lives. Try them by this test,—Has avarice or ambition beguiled them from the path of public duty? Have they gained honours or advantages for themselves, at the cost of the public? Try me by that test; I do not fear the result; and I say that, if my conduct is upon the whole deserving of your confidence and esteem, it will neither be wise nor just of you, at the close of such a life, for some special errors as you may deem them, to mark it with your disapprobation. I come home at last, after perambulating England. I appear before a Carlisle con-

stituency, to tell them I have no personal object to gratify. 1852.
Gentlemen, I have had my day. I tell you frankly I have had it: and let me glance at what I have done. I helped, when out of office, to secure for a large body of my fellow-subjects in the United Kingdom, a perfect equality of civil rights without regard to religious distinction. In the service of the Crown I helped to abolish slavery in the British dominions, and to wash away that great reproach from British freedom, by emancipating the negroes in our Colonies. In office, with Lord Grey and Lord John Russell, I was intrusted with the preparation of the Reform Act; and on that occasion I had the good fortune greatly to extend the popular rights of my fellow-citizens. I was a party to the issuing of the commission of inquiry, from which emanated the great measure of municipal reform, that established the principle of self-government in the corporations of this kingdom. I am sure there is not a popular assembly in this kingdom, in which the name I am about to mention will not be received with silence and respect. In conjunction with my departed friend Sir Robert Peel, I contributed greatly to supply the people of this country with cheap food, and absolutely to repeal the duties on the raw materials of manufacture; thus cheapening the price of food and clothing to the poor and needy. More recently, I did my best, and not unsuccessfully, to establish peace in Europe upon a rock of safety, by encouraging those amicable relations with all the foreign powers, which free trade and extended commerce never fail to bring in their train. Is that all? We hear much talk of law reform. The gentlemen on the other side plume themselves upon their law reforms. Before I left office I prepared the County Courts Bill, and gave it to my successor; and almost without any

1852. change that bill became the law of the land. The other day, when out of office, and without any personal object, I devoted almost the whole of my time to a commission to inquire into the abuses of the Court of Chancery, from which has emanated that measure of Chancery reform for which Lord Derby's Government takes so much credit. I am very glad to have contributed my assistance; but in justice let it be remembered that my aid was given. Now, with respect to the British Colonies, which extend to all parts of the earth. I have striven to support the emancipation of those Colonies from the excessive and overweening interference of the mother country. In short, I tell you this—I have borne a part with the best of men in their best of actions; and I say, as Mr Burke says somewhere in his works, 'I can shut the book.' I might have wished to read a page or two more, but I have done enough for the full measure of my ambition; and I can truly say I have endeavoured not to live in vain."

The canvass made on his behalf by his friends, necessarily extended over the next three months, as the dissolution did not take place until the 2nd
7th July. July. On the day of election, much merriment was excited, by the unexpected nomination of Sir James by his old Conservative friend Mr Pering, and his being seconded by another gentleman who was also one of his opponents on the occasion. The avowed object of this amusing *ruse* was, to prevent the veteran debater from following his antagonist Mr Hodgson, when they came to speak, as he must have done, according to the prescribed usage at elections, which gives precedency

in the order of nomination. At the close of the poll the numbers were—for Graham 525, Ferguson 512, and Hodgson 419. In returning thanks after the declaration, Sir James expressed warmly his gratification at finding himself once more surrounded by the political friends of his youth. "Somebody had said upon the hustings that if he were returned, Carlisle would be called a refuge for the destitute. Well, that was a better name for it to bear than an hospital for the incurable." 1852. Returned for Carlisle.

On the meeting of the new Parliament in November, a resolution was adopted, declaring the policy of Free Trade irreversible. Mr Disraeli then brought forward his budget, the novel features of which were, a reduction of the duties on tea from 2*s.* 2¼*d.* a pound to 1*s.*, by a gradual descent in the course of six years; a remission of half the excise on malt; and an increase of the house tax generally, with certain exemptions in favour of rural dwellings. To the first, no objection was made; but the second and third were warmly contested. Sir James resisted both, citing the authority of Sir Robert Peel, who had always said that direct taxation ought not to be pressed further, but should be reserved for time of war, or of unlooked-for exigency. The true policy was that which combined direct and indirect taxation in equitable proportions.

Upon the House Tax, Ministers were defeated by 305 to 286; and thereupon Lord Derby resigned. Coalition Ministry.

1852. Lords Aberdeen and Lansdown were then sent for, and asked whether a coalition Cabinet could be formed. Many difficulties seemed at first to stand in the way; but they were at length overcome. On the 24th December the new Administration was announced in Parliament, and Sir J. Graham resumed his former place as head of the Admiralty. He was re-elected for Carlisle without opposition. His speech on the occasion was an exposition of the policy of the new Cabinet, which he declared to be the preservation of peace abroad, and the promotion of Electoral and of Law Reform at home. Non-intervention in the affairs of our neighbours was to be adhered to as a fixed principle; and in foreign affairs no readiness would be shown to dictate to the weak or to humour the strong. But looking at what had recently taken place in France,* when by surprise absolute power had been established over the lives and fortunes of thirty millions of men, it was the duty of Government to take care, that those of Englishmen were not suddenly compromised. When Parliament re-assembled, Mr Disraeli called attention to our relations with France, and criticized the language used upon the hustings by Sir Charles Wood and Sir J. Graham, with reference to the Emperor. Sir James denied the accuracy of his reported words; but insisted on his right to express his

* The empire had been restored by a plebecite on the 6th November, 1852.

opinion regarding foreign affairs. If he was not fit to do this, he was not fit to be a Minister. 1853.

East India Company's Charter.

The Charter of the East India Company being about to expire, he was named one of the committee of the Cabinet to consider the terms of its renewal. An active and intelligent party existed out-of-doors, who aimed at the abolition of what was termed, the double Government, and who urged that the Company in its political capacity, should be altogether got rid of, and India incorporated with the other dominions of the Crown. Mr Cobden and Mr Bright strongly recommended the adoption of this course. They believed that when a Minister of State was made directly responsible to Parliament for the administration of Oriental affairs, the public opinion of England would exercise a superintendence over them sufficiently vigilant; and that administrative patronage would no longer be jobbed by a limited number of private individuals, who, as directors or members of the covenanted service of the Company, had heretofore made it a convenient mode of providing for their relatives and dependants. The First Lord of the Admiralty listened with one ear to these suggestions, but with the other to a different class of arguments, from a different class of persons, which, whatever their tone or intention might be, produced on his mind very opposite effects. In the Upper House and in military circles, there had long existed an intense feeling of jealousy towards the separate army and

1853. civil service of India. Those who had high connections, or influence at the Horse Guards, found themselves continually baulked, when they tried to turn them to account in the East, as they did in England. Except a few high commands, the patronage of India was held in monopoly, they said, by middle-class men, which they considered a grievous injustice, and one which would never be put an end to until Southern Asia was made a direct dependency of the Crown. Sir James knew well what all this meant, and what it would come to, if the old system were swept away, unless some better check were provided against the abuses of privilege and favour than the vague and fitful influence of public opinion. He had noted the character of too many discussions of Indian affairs at various times in Parliament, to place any reliance on its vigilance in controlling the vast and varied administration of that remote region. He had heard Mr Macaulay deliver one of his most elaborate harangues to empty benches, because its subject was only India; and he knew that the vital principle of representative action was, and ever would be, wholly wanting when the House of Commons was left to control or stimulate a Minister on Indian affairs. A third party, still in its infancy, but already strong in talent and enthusiasm, offered to solve the difficulty. Sir C. Trevelyan and Sir S. Northcote had already made converts of many distinguished persons, to their new admistrative faith in Competitive Examination; and there were

not wanting in Parliament men like Mr J. Blackett, 1853.
Mr Ashford Wise, and others, who urged vehemently the application of the new principle in all the departments of the Government. Sir James weighed judicially, as was his wont, all the conflicting arguments; and balanced the good and evil he saw in them one against another. Personal prejudice or interest in the matter he had none; and he distrusted the theory of each and all. If the ablest men could only be found for civil and military appointments in India, and if by degrees the natives, a large proportion of them, could be secured, that would be the best thing; but how was this to be done? He owned he did not see his way to more than tentative measures, out of which, by and by, somewhat of a sound system might arise. He concurred therefore with his colleagues in recommending that a renewal of the charter for a more limited period should be granted; and a bill for that purpose was introduced by Sir C. Wood. The advocates for centralizing the Government of Asia in London, whether mercantile or military, middle-class or aristocratic, concurred in ridiculing the proposal as a half measure; and while the advocates of Competitive Examination were far from satisfied with certain concessions which had been made to their views, the avowed opponents of the principle in the House of Lords declared, that under the bill there would be no security that the Resident at some native court, or the general commanding the

1853. Company's army, might not be the son of a horse-dealer. It was to some expression of this kind that Sir James adverted, in his speech on the second
27th June. reading.

"I have heard something about a question put elsewhere as to whether the sons of horse-dealers might not be sent out to India. Remember what occurred after the terrible reverses in Afghanistan. The officers of the Queen's army had met with a great disaster. There were two distinguished officers at that moment, in command of two armies upon opposite sides of Afghanistan—one General Pollock, the other General Nott. I do not think that even on this occasion, and in this assembly, after that question has arisen, and when we remember that the Queen's officers had sustained a great disaster, and by whom that disaster was retrieved,—I do not believe, I say, that General Pollock will condemn me, if I recall to the recollection of this House, that he was the son of a humble shopkeeper in the city of London, and that General Nott was the son of a publican, from a remote corner of South Wales. How did they retrieve the honour of this country? One was told either to retreat from Afghanistan, or to advance and recover Ghuznee, as he considered best. It was open to him either to retreat or to advance. He hesitated not. His decision was taken in the course of one night, and General Nott decided to advance. What was the conduct of

General Pollock? He found his army dispirited: 1853.
their fate was hanging in the balance. He had the moral courage, far higher than any other courage of the most brilliant description, to resist all pressure and inducement to advance, until the feeling and spirit and *morale* of his army was fully restored. Never was the saying better exemplified, *cunctando restituit rem.* He hesitated not when the proper moment arrived; and the glorious consummation took place, that those two Generals of the East India Company's service, sustained the honour of the British arms, and saved from destruction our empire in the East. Is this system lightly to be set aside? Is this form of government to be hastily rejected? We have the advantage of the opinions of Sir R. Peel and the Duke of Wellington in favour of that system of government. They never hesitated or doubted, amid all our difficulties, that those difficulties would be overcome; and if they were now alive, I am satisfied that they would counsel and entreat you, as I have done, not rashly or hastily to tamper with such a system.

In July, 1853, Sir James visited Cork, where the Channel Fleet was appointed to rendezvous for some days. A public dinner was organized *impromptu* to do him honour, at which the Mayor presided, and which was attended by the Members for the City and County, with many of the leading citizens and neighbouring gentry. He was much pleased with

Visit to Ireland.

1853. his reception, and made a speech of acknowledgment in his happiest vein. From Cork he proceeded to Newtown, the residence of Mr Osborne, the Secretary to the Admiralty, which is situated on the banks of the Suir, near Clonmel. On their way, the train stopped for half an hour at Mallow, where a crowd of emigrants were collected, whose tearful leave-takings, with their expressive gestures and cries of sorrow, came upon him by surprise; and for the moment he was quite overcome. The statistics of Irish depopulation were familiar to him; and half an hour before, he would doubtless have said that he knew thoroughly all that was to be known about it. The intensity of social suffering entailed by every village clearance, he felt that he had never before realized; and the harrowing scene he had witnessed made a deep impression on his mind. With the beauty of out-look from the entrance to Newtown House, and the varied scenery of the Blackwater, he was greatly charmed. But what struck him, he said, most of all he saw in Ireland, was Curraghmore, the seat of the Marquis of Waterford. The family of Beresford have resided at Curraghmore for many generations. The house, though hospitably spacious, and surrounded by a large extent of offices, has little about it to fix the fastidious attention or cultivated taste. It was the park in which it stands, containing fifteen hundred acres of oak, within a stone wall, that excited the admiration of its distinguished visitor.

When in Dublin, he visited the Model Schools of the National Board of Education, the library of the University, and the edifice that formerly was the Parliament house, but which now is occupied by the Bank of Ireland. The walls of the chamber where the Irish Peers formerly sat are covered with tapestry, one of which represents the crossing of the Boyne. "Ah!" he exclaimed, with a sigh, "they will never let that be forgotten." 1853.

In the Parliamentary discussions of the next two years, the First Lord of the Admiralty took a less prominent part than other members of the Government. On great occasions he was unwilling to speak without careful preparation. Fastidious in his choice of phraseology, and often undecided as to the policy of making use of particular facts and arguments, he was always ready to allow more sanguine friends to mingle in the wordy fray, contenting himself with judicious suggestions and punctual votes. His mind constantly fluctuated as to the timeliness of addressing particular views to the House. He was too candid to resist the force of unexpected considerations for the first time presented by an antagonist; too careful of the ill consequences of an imperfect answer, to hazard on the moment a hasty reply. Second Administration of the Navy.

Again at the head of the Board of Admiralty, his attention was engrossed by the manifold details of business. He would fain have made good his old promise of retrenchment, pruning down expenditure,

1853. as he had done in former years, to the uttermost. Looking from the point of view at which we now stand, his first Administration of the Navy wears the appearance of niggardliness and unthrift. Expenditure on national defence must however be measured, rather with reference to the circumstances of the time, than to any arbitrary standard of what may be thought permanently needful. The period in question was one of prevalent peace; and the alliance between Great Britain and France, which continued to subsist during the eighteen years of Louis Philippe's reign, was then considered a justification for cutting down regiments of the line to 600 men, and reducing dockyard outlay, to an amount that would now be considered insignificant. In 1853 it was impossible even for him to keep within the same frugal bounds, the cost of his department. In the interval of well nigh twenty years which had elapsed since his former presidency over the affairs of the Navy, a gradual increase had taken place both in the cost of ships, and in their requisite number. Instead of 27,000 men, which had been deemed enough for the manning of the fleet in 1833, he was compelled to ask in 1853 for 45,000; and instead of £4,740,254, he had to ask for £6,362,592. Although he was satisfied that less would not suffice, owing to the altered circumstances of the time, he would have been better pleased had the House of Commons been less easily entreated to grant so large a sum.

He knew that he could make out his case for what he asked; but he was sorry to see great estimates voted, without any apparent anxiety to be satisfied, on the part of the House, that they were necessary. 1853.

On taking his seat at the Board for the second time, he found a valuable report from a committee of naval officers appointed by his predecessor, the Duke of Northumberland, to inquire into the entry of men for the navy. The subject was not new to him; and he eagerly set himself to master the considerations in detail, upon which the opinion of the report in question was based; and by personal communication with those on whose professional experience he most relied, to satisfy himself how best an important reform might be carried out in the manning of the navy. Efficiency and economy, as he rightly judged, were not in truth antagonistic elements in the calculation; but on the contrary they must be regarded as inextricably interwoven. For the great object was permanency; and for that, frugality in expenditure would in the long run be indispensable. In a prosperous year, or a year of war-panic, Parliament no doubt would vote any sum for bounties; but if a better, because more permanent, system were to be introduced, the charge must be calculated so as to be able to survive a cold fit of parsimony in the House of Commons. One thing however he was bent upon accomplishing if it were possible, Manning the Navy.

1853. namely, to improve substantially the condition and comfort of the men. This he believed was the true way to eradicate from the sea-faring community the prejudice that to a certain extent still existed against the service. It could not indeed be done without a liberal outlay; but neither would money alone suffice. He set himself accordingly to mature measures providing for "the more permanent organization of the navy, both as a means of increasing its efficiency and discipline, and of substantially promoting the welfare and comfort of the petty officers and seamen of the fleet. The change in the existing system should be accomplished wholly by voluntary means. Seamen were therefore to be permitted, as before, to enter for the customary period of service, and for particular ships; but by the future entry of boys, for longer terms of continuous and general service, and by holding out the inducement of increased pay and other advantages, to men who might volunteer to serve under the new system, he contemplated that a gradual and beneficial change would be introduced in the present mode of manning her Majesty's ships."*

Continuous service regulations.

A number of regulations were framed for the benefit of the service, and especially with reference to the time and mode of pay. All wages were in future to be calculated at a daily rate, instead of by the lunar month, as heretofore; and time was to be

* Circular, No. 121.—Admiralty, 14th June, 1853.

henceforth cast in years and days, instead of years, months, weeks, and days. All wages were to be paid by paymasters; and the establishment of Paymaster-general's clerks at the ports were withdrawn. In simplifying the mode of paying advances and allotments, the number of rates were reduced from twenty-seven to five; and restrictions as to the relationship of the person allotted were removed. Good-conduct badges and pay and gratuities on paying off were established. The system of entering men for continuous service was initiated, with additional petty officers' ratings and improved pay, to encourage men to enter the Navy; and to secure their future services. Gratuities on paying off were discontinued; and badge pay was allowed to petty officers in lieu thereof. Officers of all ranks were henceforth to be paid by bill. Ninety or sixty day bills were discontinued, and ready-money bills were substituted. Bills of exchange were made payable at 'three days' sight,' instead of the long periods heretofore in use. Much clerical labour was saved by the abolition of the second pay-book, and of duplicate lists and returns. One general form of pay-ticket was introduced, as a substitute for the former dead or officers' ticket, and sick or foreign remove ticket. The old system of officers' pay-bills was done away with; and facilities were afforded instead for payments quarterly, and for remittances by them to their friends, whereby great 1853.

1853. protection was afforded against forgery and fraud. Common forms of bills of exchange were discontinued, and books of forms, in the manner of a banker's check-book, with counterfoils, were substituted: all these books were to be registered and numbered.

New system of ship's account.

The new system of ship's books and accounts was founded on the gradual improvements already enumerated; a large amount of clerical labour was saved, and liability to error was reduced by the discontinuance of the old forms, which contained many repetitions, and had to be made out four times a year, each time liable to mistakes in transcribing. A new method was prescribed, in which paymasters were to render their cash accounts monthly, instead of annually, thus securing promptitude and regularity, and affording a readier and more effectual guard against abuse. The position of paymasters was improved, and they were allowed a fixed income, instead of being remunerated as formerly by balance bills. Further improvements were made by giving them the direction and superintendence of all assistant paymasters and clerks; the pay of the latter was increased likewise. Seamen of each rating, and boys under eighteen years of age, willing to enter for continuous service, were to have proportionate benefits held out to them, in pay, and in the reckoning of time for their pensions. In order to carry into effect the plan for employing boys to a greater extent than heretofore in the

service, it was necessary to establish training ships at some of the principal ports. Devonport and Portsmouth were the harbours first selected for these floating school brigs, for the exercise of novices; and brigs were likewise provided at Plymouth and at Cork. The term of permanent service fixed was ten years; but this Sir James subsequently was led to consider too long. 1853. Training of boys for the service.

The advantages of the simplification of accounts above referred to were remarkably illustrated in the course of the following year. The ships composing the Baltic fleet, says one, who had the best means of observation, were all paid down under the new system in a very short time, and the ships made available for any service, which could not have been done under the old system; and in like manner at the close of the war in 1856, ships were paid off, and a large number of men discharged on reduction, with a promptitude which would have been otherwise wholly unattainable.

During Sir James's first administration of the Admiralty, he had transferred the coast guard from that department, and placed it under the control of the Treasury, the reasons assigned being twofold—economy, and greater efficiency of the service, as a branch of the customs' department. He now proposed to replace the coast guard under the Admiralty, not that he had ceased to value at their intrinsic worth the considerations that formerly

1853. swayed him, but because he felt that they ought to give way to the paramount one of marine defence; and he hesitated not thus to seem to undo his own work, because he foresaw that he should incur thereby undeserving censure. He would very probably be abused for the second change, as he was for the first, and complimented maliciously on recanting his early error; but upon the whole he thought he had done right in both instances,—first, in trying to economize the public expenditure when there was no danger of war, and, secondly, in allowing no regard for the appearance of personal consistency to prevent him from re-constituting the force as one of defence, when the necessity arose. By its re-organization and combination with the coast volunteers, a reserve force of 11,000 or 12,000 men was thus made permanently available in case of emergency. It was by observing the spirit that actuated him in acts like these, that he won the praise from those whose estimate of his official character was best worth winning, of having a sincere and unselfish love of the public service, and a truly noble pride in promoting the public interest. Sir Robert Peel once said that the only requital he ever looked for at the hands of royalty, was the acknowledgment that he had proved himself an efficient and a faithful servant. And of his distinguished fellow-labourer and friend it may be truly said, that the chief recompense

he sought in public life, was the opportunity of being conspicuously useful. 1853.

In order to secure beyond dispute the power of the Board of Admiralty, to carry into effect all these regulations, and to modify them from time to time, he framed and carried a bill, which consolidated whatever was worth preserving in former statutes, and repealed what had become obsolete or inapplicable in them; while it conferred upon the department the most comprehensive powers for the future, not only as regarded pay and pensions, but also with respect to prize money. One of the principal objects of the measure was to secure the payment of prize money in the first instance, into the responsible hands of the Naval Paymaster-general, to be eventually distributed under the order of the Admiralty, instead of allowing agents to have the custody and distribution of the funds, which sometimes caused serious defalcations, and habitually great delays in payment. Between the years 1812 and 1853, no less a sum than £100,000 had been lost to the captors from the defalcations of prize agents; but under the present system of paying prize money into the hands of the Paymaster-general, it is impossible that any loss can accrue to the captors, who have the benefit of the whole proceeds, subject only to the necessary legal expenses which are taxed by the Registrar of the Court of Admiralty; moreover, by the change of Pay and Prize Act.

1853. the law, all delays are avoided, payment of shares being now made immediately on receipt of the proceeds and the sanction of the High Court of Admiralty for distribution. By the change of system, officers and men can now at once be paid by the paymaster of the ship in which they are serving, either at home or abroad, which could not have been done when prize money was distributed by agents. Seamen may receive their prize money at the same time as their wages, on the paying off of their ships, or at the office of the Accountant-general of the Navy. Three prizes were captured in the Baltic, in which upwards of 21,000 seamen participated, the greater portion of whom received their shares from the paymasters of ships in which they were subsequently serving abroad, which arrangement could not have been made by distributing agents, and all of which shares must have remained undistributed, at all events until the return home of those ships, and probably until an indefinite period, from the circumstance of men getting dispersed after having been paid off. Since the passing of the 17th Vict. upwards of £150,000 prize money has been brought into distribution; and out of the number of prizes captured during the Russian war, proceeds of which have been received, three only remain undistributed, and those for causes beyond the control of the Admiralty. It is believed that the new provisions relating to prize money have been attended with the most beneficial results, and

that, they have given satisfaction to the service generally.* 1853.

Case of Thomas Chown.

Sir James had a strong sense of the necessity of discipline; and it obliged him frequently to ratify sentences of courts-martial, sorely against the impulses of personal feeling. But in capital cases he leaned hard towards the side of mercy, and always said he would rather err in leniency, than run the terrible hazard of inflicting, without sufficient cause, or through some possible lack of saving evidence, the dread penalty of the law. In May, 1853, a court-martial, held on board the *Impregnable*, lying at Devonport, sentenced to death a private of marines, named Thomas Chown, for striking his superior officer while on duty, on board the *Ajax*.† The First Lord felt that this man's life might well be spared, without injury to the discipline of the service; and on the 14th May he submitted the case for respite to the consideration of her Majesty. This he did, as he afterwards stated in evidence before a Select Committee, in the exercise of his sole

* If the alteration in the law respecting the distribution of prize money had not taken place before the Russian war, the proceeds of the captures by H. M. S. *Tribune*, would have been paid into the hands of the agents of the captain of that ship, Messrs Holford, who became bankrupts, instead of the Paymaster-general, and the whole amount, £16,876, would have been lost to the captors.

† Report of Admiralty Committee, 1861, p. 122.

1853. responsibility as First Lord; the usage being for the Board to recommend commutation of sentence in cases of minor offences, but not in cases of life and death. The man's life was spared.

During the autumn, the aspect of foreign affairs gradually darkened; and many, who like him loathed the prospect of a European war, began to read despondingly the presages of evil. The harvest of 1853 turned out badly; and some of the calculations of the Chancellor of the Exchequer seemed likely thereby to be disappointed. In reply to a letter from his old correspondent, Mr Sandars, who took a rather unfavourable view of the general position of the country, Sir James wrote:

"Admiralty, 9th November, 1853.

"My dear Sir,

"I have received your kind and most interesting letter. I should be grieved, indeed, if I feared it was the last; for the pleasure is great which I receive from any token of your living remembrance of our long intimacy.

"With most of your observations and conclusions I entirely concur; but in justice to Gladstone, I must say, that I do not remember a single expression which fell from him, indicating a false reliance on aid to be derived from the Australian gold. The weather, the harvest, and our foreign relations, which he could not control, have disappointed his hopes, and to a certain degree have baffled his measures; but our finances are placed on a firm footing, and the ground is laid for a reduction of the interest of the National Debt.

The grand object now, is the maintenance of peace: and unmitigated love of wanton mischief alone can prompt the desire to wrap Europe in the flame of war. Revolutionists may entertain this unhallowed purpose; but even the madness of party hardly accounts for the wickedness of the Protectionists in kindling this fire. I am sanguine in my hope that we may yet succeed in averting from our country this curse of mankind. Pestilence and famine are visitations from above; we must bow and ask for pardon. The sword is in our hands, and if we draw it, we may perish by it. 1853.

"I am yours sincerely,

"J. R. G. GRAHAM.

"J. Sandars, Esq."

Nevertheless, ere the year was out, it grew obvious that a rupture with Russia was an event probable, if not inevitable; and it became necessary to look about for able and experienced men, fit to be entrusted with high command in case of need. Among the flag officers of distinction on the active list, there did not happen to be one who had ever been in the Euxine; and upon the retired list the only name that fixed the attention of the First Lord, was that of Sir Edmund Lyons, who upon one occasion had in a British frigate passed the Dardanelles. He had not been afloat for some years; and was at the time filling the post of Minister Plenipotentiary at the Court of Stockholm. To his surprise he received a despatch requiring his immediate presence in London. On reaching the Admiralty, he found the First

1853. Lord engaged, and while he was still waiting to be admitted, the Russian Minister entered the room. The veteran diplomatist, who had never believed, or suffered his master to believe, that England, under Lord Aberdeen, would after all draw the sword, could not conceal his surprise at so unexpected a meeting; and it is said that for the first time he wrote that night to the Emperor, that our Government meant war. Sir James was frank and explicit with the Admiral, and offered him the command of the squadron which he feared might be called upon to enter the Black Sea; and upon receiving his acceptance, requested him to hold himself in readiness to enter upon his new duties without delay.

A commander was likewise to be thought of for the Baltic. He pondered anxiously and long, as well he might, for a greater responsibility could hardly at that moment have devolved on any public man. He knew that the popular feeling would, at the outbreak of hostilities, be certain to point to Sir Charles Napier, as the fittest man to be employed; and had he yielded to the suggestions of some who considered themselves qualified to give advice, he would have despatched the ex-member for Marylebone forthwith to the Mediterranean. This he was resolved in any case not to do. In the critical condition of things at the moment, an incautious act on the part of the commander of the British fleet lying off the coast of Asia Minor, might have brought to an abrupt

close the protracted negotiations which had engaged 1853.
the diplomatists of Europe for so many months; and long acquaintance with the character of Sir Charles satisfied the First Lord, that he was the last man upon whose political temper or discretion, the issues of peace and war ought to be suffered to hang. But he knew his good qualities, and desired to make use of them in the public service. Elsewhere it would matter less what he might do or say without orders; and he therefore wrote, "assuring him, that 22nd Nov.
his claims to professional employment had not been overlooked, that his gallant services were fully appreciated by the Admiralty, and that the North American station then vacant was not offered to him, because, under existing circumstances, it was deemed as well 'to have him near at home, and ready for any emergency.'" Sir Charles replied that "he was ready and willing to serve in the Baltic, if (as he concluded) that was the station for which he was intended;" but he intimated that he would much prefer being sent to the Mediterranean, where he could render good service, "having considerable influence with the Turks, whom he had before led to victory, and who had not forgotten him."*

The catastrophe indeed drew nigh. The Russian fleet had already quitted Sebastopol and approached the harbour of Sinope, where the inferior squadron

* Earp's Hist. Campaign in the Baltic, from documents furnished by Sir C. Napier, etc., p. 5.

1853. Battle of Sinope.

of the Sultan lay. Its commander wrote describing his position, and asking help from Constantinople, but no help came; and on the 29th November, after a brave but ineffectual struggle, the whole of the Turkish fleet was utterly destroyed, with a loss variously computed at from 3000 to 4000 lives. The intelligence of the event reached England on the 11th December, and kindled into flame the passion of the people. Why, it was asked, had we suffered the unequal fleet of the Porte to be annihilated, when within forty-eight hours' sail the combined flags of France and England floated in the Golden Horn? It was easy to show that the fault, if fault there were, did not lie with the Government at home, inasmuch as ample authority had been given to the ambassadors at Constantinople, to use the allied fleets as they might deem necessary and fit. But until the soil of Turkey had been actually violated, as it was by the attack upon the Ottoman fleet lying in harbour, it was not so clear that they could have interposed without breaking the terms of existing treaties, and thereby precipitating the rupture, it was our interest, and that of all Christendom, if possible to avoid. But the generous sympathy excited by that cruel act of violence, and the common-sense view, as it was termed, of the policy which ought to be pursued in dealing with Russia, were difficult to withstand. The friends of peace in the Cabinet would have been content to warn the Czar,

that any further attack by sea or land on the integrity of the Ottoman Empire, must be regarded as putting an end to negotiation. But those who wanted war on either side of the Channel had now an advantage, which they were not slow in using. The Czar in his fury had dropped a knout wherewith they flogged popular indignation to madness; and they then adjured all who still hesitated about adopting extreme measures, not to try vainly to thwart the plainly-spoken national will. 1853.

For some weeks longer Lord Aberdeen and his friends persisted in keeping the door of reconciliation ajar; and though daily exposed to the taunt that they were letting the blood shed at Sinope go unavenged, they continued to leave the Autocrat time to re-consider and opportunity to yield. But day by day the prospect of his doing so grew more faint, and they felt that their own position was becoming untenable. After what had occurred in the Black Sea, they dared not defer the decision of the momentous issue much longer. Far more to them than the safety of any semi-barbarous *protégé*, was the conservation of the coast of England, and of her mercantile marine, from sudden foray. While winter lasted these were safe; but if before the breaking-up of the ice, a British fleet were not ready to bar all egress from the Baltic, the defenceless towns and shipping of the kingdom would lie at the mercy of any Nachimoff, who might issue forth to execute

1854. the capricious mandate of his fanatical and frenzied master. This idea slowly but steadily possessed the mind of Sir James, and finally governed his decision.

On the 23rd February he sent for Sir C. Napier, and offered him the command of the Baltic fleet then assembling. In the course of the interview the Admiral expressed so many doubts as to the efficiency of the preparations made, and suggested so many additions and precautions as indispensable, the First Lord, with his usual keenness of discernment, perceived, as he thought, a disposition on the part of the veteran to hedge against the chances of defeat, as far as his personal reputation might be concerned. The circumstances of the time were not those, in which the Executive Government could afford to wink at any attempt on the part of a commander, to qualify his own responsibility, or to sever it from theirs. With many excellent qualities, Sir Charles had often been accused of a professional egotism somewhat too shrewd. The Minister who, disregarding class and party claims, had "conferred on him the much-coveted honour," * was vexed at what he considered the

* The historian of the "Campaign in the Baltic" confesses "that for this selection Sir James deserved great credit, as it had been made in opposition to strong family interest." One Lord of the Admiralty was already in command of the Black Sea fleet; and another, Admiral Berkeley, afterwards admitted in Parliament, that he had run with Sir Charles an honest race for the command. p. 15.

untimely manifestation of this spirit; and he resolved 1854.
to put the matter to the test without delay. The same evening he wrote him a highly characteristic letter, in which he said that he looked on the numerous objections and difficulties he had raised as "signs of distress," and that if he was "dissatisfied" with the preparations which had been made and which were in progress, and that if he had not entire confidence in the strength of the combined forces of France and England, he had better say so at once, and decline a command which in his opinion would not redound to his honour or to the safety of his country." In reply Sir Charles declared that he "never made difficulties when service was required; and that after a long life spent in honour, he was not going to make them then. Lord Nelson never declined service, no more should he, particularly after the confidence which the First Lord had placed in him; but with the means at his disposal, he would do all he could for the honour and glory of his Queen and country, which should not be tarnished in his hands:" and he added, "that he certainly had no apprehensions of failing either in good will or hearty concurrence with the Board of Admiralty. On the following day he received his command. It was alleged at the time, and frequently repeated afterwards, that the departure of the squadron was so hastened, as to render it impossible to have it fully manned, or furnished with gun and mortar boats fitted to cope adequately with the naval armament

1854. of Russia. But the despatches of Sir Hamilton Seymour, subsequently laid before Parliament, show how necessary it was that prompt measures should be taken to secure the gates of the Baltic, even before war was declared; and as regards the efficiency of the preparations which had been made, we have the testimony of the Admiral himself spontaneously given in public, on a somewhat remarkable occasion a few days before he sailed, that seldom, if ever, had such a fleet been equipped for sea, and that nothing had been left undone in the choice of subordinates that could contribute to his contentment and satisfaction. On the 7th of March, a dinner was given by the members of the Reform Club to the newly-appointed Admiral of the Baltic fleet, and three members of the Cabinet, Lord Palmerston, Sir James Graham, and Sir William Molesworth, were among the guests. In acknowledging the compliment thus paid him, Sir Charles expressed his confidence in the success of the expedition. "He might safely say that England never sent forth such a splendid fleet as that which was then going to the Baltic. He thought the First Lord of the Admiralty deserved the greatest credit, after so long a peace, during which few or no men were required for the Navy, for having been able to fit out the fleet in the time and in the manner he had done. He did not mean to say that it was yet in perfect order; but he felt confident that it soon would be so when

he considered the quality of the officers under his command. He must publicly thank his right hon. friend, who had in no single instance refused the appointment of any officer recommended by him. With such officers and with such a fleet, not equal to the Russian perhaps in numbers, but with the assistance of the screw propeller, he would he believed be able to attack a very great superiority of force. War had not yet been declared; but when he got into the Baltic he thought it very likely he should declare war." 1854.

Sir James, in reference to the expression relative to a declaration of war by the Admiral, surprised his hearers by the ambiguous expression, that "if, when Sir Charles got into the Baltic, he found it necessary to declare war, he would have his full permission to do so." It is hardly conceivable how any one should have misunderstood the meaning of what was thus said. War was imminent, and the chances were that before the squadron had passed the Sound, it would have been declared by the only power capable of performing such an act of State, namely, the Queen in Council. Sir Charles was no constitutional lawyer, but he could not possibly have been so carried away by the excitement of the hour, as to forget that he neither had nor could have such authority. What he did exactly mean by the phrase he used may be doubted; but the meaning of the First Lord is sufficiently plain. He thought the expression of

1854. the Admiral injudicious, and he unsuccessfully tried to turn attention from its literal rendering by the use of an inuendo, which pointed to the likelihood of a rupture taking place within a limited time. His language in other parts of his speech amounts to a demonstration, that he then utterly despaired of the preservation of peace; for devoted as he was to that object, and reluctant as he was known to be to abandon it, he never would have thought of denouncing the conduct of the Czar as he then did, had a spark of hope remained of an amicable arrangement. Yet strange to say, the words in question were made the theme of serious comment in the press, and of personal interrogation in the House of Commons. There was nothing for it but to treat the matter with ridicule; for as well might he have been called to account for the infelicitous irony of telling the Speaker that he would authorize him to dissolve Parliament.

While attending the levée previous to his departure, the Admiral received orders to prepare forthwith to put to sea. Two days later, the fleet, consisting of eight ships-of-the-line, (of which the *Duke of Wellington*, *Royal George*, *St Jean D'Acre*, and *Princess Royal*, were furnished with screws,) four frigates, and three steamers were assembled at Spithead, and by her Majesty were led out to sea; and the *Neptune*, *Prince Regent*, and *Boscawen*, were placed under the command of Admiral Corry, with instruc-

tions to join at Wingo Sound, as soon as their complement of men should be complete. War indeed was imminent, for in the preceding week the final summons to Russia to withdraw her troops from the Principalities by the end of April, had been despatched to St Petersburg: and two days before, the counter-propositions of Russia had been unanimously rejected by the Conference of Vienna.* Within a fortnight the defiant refusal of Nicholas to entertain the demands of the Western powers was delivered by Count Nesselrode; and on the 27th March war against Russia was formally declared by the sovereigns of France and England. 1854.

The confidential orders given to the Commander on quitting England, were that he should sail for the mouth of the Cattegat, and there watch any attempt of the Russian fleet to escape from the Baltic, previous to the commencement of hostilities; but that he should not pass the Sound until apprized of the final rejection of the ultimatum by the Czar. On arriving at Wingo Sound, and opening there the sealed orders of the Admiralty, Sir Charles Napier deemed it his duty to enter the Baltic without delay. He therefore passed the Belt and sailed for Kioge Bay in the vicinity of Copenhagen, whence both the outlets might be commanded through which the Russian squadron must sail, if they attempted to get into the Ocean. The passing was accomplished

* Protocol of 5th March, 1854.

1854. successfully: and on the 10th of April, Sir James wrote to the Admiral, commending him for what he had done, and expressing "his reliance upon the prudence of Sir Charles not to knock his head against stone walls precipitately or without the certainty of a great success, or the fair prospect of obtaining some most important object worthy of the risk and of the loss, which when you attack fortresses with ships are serious and inevitable." A wide discretion as to the dispositions of the force was left to Sir Charles, as well as in the selection of points of attack, the close blockade of the enemy being always borne in mind, as the primary service to be performed. Aland and Bomarsund were indicated as vulnerable; although the information possessed by the Board of Admiralty, did not warrant them in saying confidently how far it would be prudent to detach any portion of the fleet for their reduction, while the rest were occupied in observing the mouth of the Gulf of Finland.

"In the first instance," wrote Sir James Graham on the 1st of May, "it will be best to feel your way, and make good your hold on the Gulf of Finland. When I say this, I by no means contemplate an attack either on Sveaborg or Cronstadt; I have a great respect for stone walls, and have no fancy for running even screw line-of-battle ships against them, because the public here may be impatient; you must not be rash, because they at a distance from danger are foolhardy—you must not risk the loss of a fleet in an impossible

enterprise. I believe both Sveaborg and Cronstadt to be all but impregnable from the sea, Sveaborg more especially, and none but a very large army could co-operate by land efficiently, in the presence of such a force as Russia could readily concentrate for the immediate defence of the approaches of her capital. If then you have no means except naval at your command, you must pause long and consider well before you attempt any attack on the Russian squadron or their strongholds: and I am afraid that they are much too cautious to come out to meet you—had you been weaker, they might have done so; now they will wait and watch an opportunity, in the hope that you will seriously cripple your fleet by knocking your head against their forts; and they may take you at a serious disadvantage and inflict a fatal blow. These considerations must not be overlooked by you. I recall them to your mind, lest in the eager desire to achieve a great exploit and satisfy the wild wishes of an impatient multitude at home, you should yield to some rash impulse, and fail in the discharge of one of the noblest of duties, which is, the moral courage to do what you know to be right, at the risk of being accused of having done wrong." 1854.

It is not necessary to follow the course of events, so often described, of the campaign in the Baltic. The French sent a powerful squadron under Admiral Parseval, and a land force of 10,000 men under Marshal Baraguay d'Hilliers. Sveaborg and Cronstadt were carefully reconnoitred; but the allied Admirals, after many consultations, came to the conclusion that neither could be successfully attacked with the means at their disposal. In his private

1854. letters Sir J. Graham approved this caution, and more than once reiterated his hope, that no feeling of impatience would be suffered to betray the British Commander into any rash assault upon granite fortresses. Bomarsund was bombarded and taken on the 16th August; and writing from Devonport on the 25th, the First Lord expressed himself well satisfied with the prudence and sound judgment which he had evinced. "It would have been a miserable want of firmness had you yielded to clamour and risked your ships, and sacrificed many valuable lives, in an attempt to destroy by naval means, works which were certain to fall only by an attack by land. Your reasoning also in favour of the immediate and entire destruction of the forts of Bomarsund is irresistible, and I hope that you will take care that the destruction is complete, and that not one stone is left upon another." Nothing could have been more cordial, frank, or generous than the First Lord's treatment of the Admiral from his first appointment to the Baltic command; and it is almost inconceivable how, at the close of the campaign, Sir Charles should have permitted himself, in a fit of ill-temper, to wound and offend a man whom he was bound officially to respect, and personally to treat with every consideration. But, like other gallant and able men, Sir Charles was incapable of bearing with equanimity the loss of popularity at home. For some time a feeling of disappointment

had been manifesting itself at what was called the inactivity of the fleet in the Baltic. Those who knew nothing about the matter hastily concluded, upon the fall of Bomarsund, that Sveaborg might as easily be reduced; and every species of pressure was put upon Government, to stimulate further efforts before the season should have closed. "John Bull," wrote Admiral Berkeley, on the 5th September, "is getting uproarious, because nobody is killed and wounded. Meetings are being called to condemn the Government because Cronstadt and Sebastopol have not been captured. We shall have blue-books and Parliamentary questions without end. The attack failing against you, will be levelled at the Board; or failing against the Board, will be levelled against you." 1854. Letter of Sir M. Berkeley to Sir Charles Napier.

On the 12th of September, a despatch was received by Sir Charles, directing him to consult with Admiral Parseval, as to the possibility of undertaking any further enterprise of importance during the autumn. A council of war was held, at which, after considering various plans for attacking Sveaborg, and the reports of the French and English engineers on board, it was unanimously determined that without a powerful body of troops, and a great flotilla of gun and mortar-boats, nothing of moment could safely be attempted. In communicating this decision, the veteran Commander, too well aware of the popular dissatisfaction felt in England, gave

1854. vent in unbecoming terms to his own chagrin, and sought to throw the blame entirely on the Board of Admiralty. It is not surprising that the retort should have been pungent and prompt. The First Lord had in point of fact deviated nota little from his habitual caution and reserve, in his confidential communications during many months with the Admiral; and by so doing he had incurred in many respects an amount of responsibility, which Sir Charles might properly have been left to bear alone. This confidence was ill-requited; for in the angry correspondence which ensued, every epithet of compliment or praise which had been bestowed on the Admiral, was flung back upon its author as proof of insincerity and guile. While the allied fleets lay in the Gulf of Finland, General Niel and Sir H. Jones, engineer officers of high distinction, were sent by their respective Governments to advise and co-operate with the Admirals, on any questions that might arise regarding the attack of Russian fortresses; and they reported that Sveaborg might be destroyed or compelled to surrender. General Niel was of opinion that ten sail-of-the-line would lay the place in ruins in two hours. But a council of war, in which Admirals Parseval and Napier took part, came to the opposite conclusion; and as nothing important after the fall of Bomarsund seemed likely to be done, the French troops were ordered home, and the French fleet soon afterwards quitted

the Gulf. Sir C. Napier sent three of his ships back as far as Kiel; but remained himself with the rest, and proceeded to make a second reconnaissance of Sveaborg, the result of which he communicated to the Admiralty in considerable detail. He described the place as being stronger than had been supposed, and reiterated his opinion that the nature of the approaches rendered an assault under any circumstances one of peculiar danger. With mortars placed on the neighbouring islands, and the aid of gunboats, he thought "the place might be attacked, but caution and judgment would be necessary." He stated the disadvantages of "an attack by a fleet alone," and at an advanced period of the year, when the weather was constantly bad. But the impression left by the despatch on the minds of the Board of Admiralty seems to have been, that he had changed his mind as to the feasibility of attacking Sveaborg; that, as Admiral Berkeley told him, he felt "the responsibility too heavy for his shoulders; and that he would willingly transfer it to the Board, which must not be." On the same day a despatch was addressed to him by the Board, in reference to his of the 25th September, which he read as a suggestion that he should attempt the reduction of the place.

1854.

23rd September.

Private Letter, 4th October.

"We are not prepared to sanction the withdrawal of the fleet from the entrance of the Gulf of Finland until ice shall have closed it, or until you shall have received further orders.

1854. Despatch suggesting attack on Sveaborg.

* * * You say that troops might, in your opinion, be most usefully employed in the aid of the ships. But you do not say that military co-operation appears to you indispensable to insure naval success. On the contrary, you express an opinion that if your plan of attack by the ships be adopted, you are quite certain that the fortress would be laid in ruins. What then are the obstacles to the immediate attempt? If the diminution of your forces be one, we have reason to believe that the French fleet has been ordered to rejoin you off Sveaborg; and by telegraph we have directed Rear-Admiral Plumridge to hold himself in readiness at Kiel to return to the Gulf of Finland, if he hears from you that the presence and assistance of his squadron are required. You intimate an opinion that the uncertainty of the weather at this advanced period of the year, is no objection to the attack. You may choose your day and your opportunity, and some risk must always attend every great operation. * * * It is true that additional boats having Lancaster guns and mortar vessels have not been sent into the Baltic, since we were led to believe that Cronstadt and Sveaborg were unassailable by naval means alone. Your second reconnaissance of Sveaborg opens a new view, and the presence or absence of a few guns of an improved construction, or even of mortar vessels, cannot make the whole difference between a possible and an impossible attack. This order is founded on your own last report. The final decision must rest entirely on yourself. If the attack on Sveaborg, in present circumstances, be desperate, it must on no account be undertaken by you. If, calculating the ordinary chances of war, and on a full consideration of the enemy's fortress and fleets, you shall be of opinion that Sveaborg can

be laid in ruins, it will be your duty, with the concurrence of the French Admiral, not to omit the opportunity." 1854.

On receipt of this letter, Sir Charles was so angry that he offered to throw up his command, of which no notice was taken. The Board learning, a few days later, that the French fleet would not return to join him, wrote to acquaint him with the fact, and to say that an attack on Sveaborg being no longer possible, Rear-Admiral Plumridge had been ordered by telegraph to return with his ships to England. Instead of regarding this latter despatch as an ample exoneration from further accountability in the matter, Sir Charles only read it as a proof that the former had been indited with the evil intent of either driving him to commit some rash act, or laying the ground for casting upon him the blame for not having done impossibilities.* He persuaded himself that the first

Sir Charles offers to resign.

9th Oct.

* "After the French Generals had reconnoitred Sveaborg, I examined it again, and sent home my opinion as to how it ought to be attacked—by ships, batteries, gun-boats, mortar-boats, &c., at great length; and the Admiralty, as if anxious to get up a case against me, take it into their heads that I meant to attack it with the fleet alone, and were going to send back the French squadron and Admiral Plumridge's ships, and though I have remonstrated, they persist in still thinking so, and you, Sir James, seem to have fallen into the same error. * * * I do not wonder at the people of England expecting impossibilities, but I am surprised at the Government countenancing them at my cost."—Letter of Sir C. Napier, Kiel, 27th October, 1854.

1854. was written under the influence of tidings that Sebastopol had been taken, and the second under the apprehension inspired by the discovery that the news was false. But impartial history will not believe that the First Lord and his colleagues would have been mad enough, even had they been bad enough, to risk the destruction of a noble fleet in a futile assault on Sveaborg, or wantonly to urge an attempt, the disgrace of which, if it failed, must inevitably have been shared by them. It is plain that they never contemplated any step of the kind, except in concert with the naval forces of France; and that the moment they found such aid was not available, they dismissed the project even from consideration, and ordered the squadron to quit the Gulf of Finland.

Forbearance of Sir James.

The First Lord was willing however to make much allowance for the petulance thus shown, and for the disappointment of a man, who greedy of glory had been tantalized by seemingly great opportunities, which a complication of circumstances, not easy to be made clear to the public, had disabled him from using. Instead of indulging in retort or asperity, he replied as follows:

"My dear Admiral,—

I am very unwilling to be involved in a written controversy with you, but you have brought it on yourself, by your report of the 25th September, after your second reconnaissance of Sveaborg. That report appeared to me to be entirely at variance with the opinions previously expressed

by you; and I certainly understood you to say, that if you had mortars, rockets, and Lancaster guns, you considered Sveaborg assailable by sea. In May you declared it to be unassailable by sea or land, and the Admiralty did not send to you the appliances which in September you declared to be wanting, because they believed from your account, they would be useless against a place which in the first instance you pronounced to be impregnable. I could not bring myself to believe that the want of Lancaster guns, or even of mortars, rendered a sea attack, on your plan of the 25th of September, impossible, if you had twenty-five sail-of-the-line re-assembled before the place, with all their means of vertical fire. I am sincerely sorry to hear that you are unwell. I hope that Kiel Harbour and milder air will restore you to health. 1854.

"I am yours very truly,

"J. R. G. GRAHAM.

"Sir C. Napier, K.C.B., &c."

But the wrath of Sir Charles was not to be appeased. "He would not admit that he had brought the controversy on himself. There was not a word in his despatches which justified the construction the Admiralty had put on them; but he was quite prepared to defend himself against them. Enough had not been done to satisfy an impatient public: some one must be blamed, and he was the chosen one; but he would not allow himself to be crushed because he could not do impossibilities."* The controversy between himself and the Board about

* Letter from Kiel, 6th Nov., 1854.

1854. who was to blame for the little done in the Baltic, ripened rapidly into bitter altercation. On the 18th December, some days after the fleet had returned to Spithead, having sought and obtained an interview with the First Lord, his language and bearing were such, that Sir James haughtily declined to enter into any verbal explanations with him. Soon afterwards he was ordered to haul down his flag and remain on shore, which he chose to regard as an insulting dismissal, but which in truth was a mere formal act; implying nothing of the sort, and incapacitating him in no way from renewed employment. Sir James was far from desiring to crush or degrade him, as he supposed. He was invited to Windsor by her Majesty, the presence of the First Lord being commanded at the Castle on the same day: but no reconciliation took place. It was not however until he regained his seat in Parliament in the following year, that the feud between them was brought fully under public notice, and by that time the war was over, and the uneventful campaign in the Baltic half forgotten.

His view of the conduct of the Czar.

Sir James never ceased to deplore the Russian war as a great calamity. Not even Lord Aberdeen himself clung more anxiously to the hope that peace would be preserved; he looked on war needlessly begun as the greatest of crimes; and he could not to the last be persuaded, that the Emperor Nicholas would commit a blunder and lay

offence so grave, as that of plunging Europe into the calamities attendant thereon. But in proportion as his incredulity had been great, so was his resentment bitter at the cause of so much mischief and misery; and fervid was the eloquence with which he denounced the conduct of the Czar as "betraying as lawless a spirit, and as reckless a desire of aggrandisement, as ever disgraced the ruler of any country." His main object had been to prevent the escape of any Russian cruisers from the Baltic before the breaking up of the ice, and thus to insure the safety of our eastern coasts, and the uninterrupted freedom of the ocean for purposes of peaceful trade. The importance of this object could hardly be exaggerated. Its attainment obviously depended on the forethoughtful care, which had unostentatiously prepared for the emergency while deprecating its approach and striving to avert it, as well as on the promptitude of action when that hope had failed. Had the fleet been detained in the Channel until the discipline of its crews had been rendered perfect, it is not impossible that Denmark and Sweden might have been compelled to place their naval resources at the disposal of Russia, and that issuing from the Cattegat, cruisers bearing the enemy's flag might have inflicted infinite humiliation and injury on our seaports and commercial marine. Not a Russian succeeded in passing the Sound during the entire year; and the array of the allied squadrons in the Baltic, 1854.

1855. was so imposing, that the fleets of the enemy kept close within the fortified harbours of Sveaborg and Cronstadt during the whole campaign. Disappointment, perhaps unreasonable, was expressed at home, that the great fortresses of Russia were not dismantled, and that her navy was not destroyed. The best vindication of those who argued that in 1854 this could not have been done, was found in the fact that in 1855, when a still more numerous and powerful naval force were sent into the same waters, no attempt to reduce them was made.

23rd Jan. Sebastopol Committee.

When Parliament met, the public irritation at the mismanagement of affairs in the Crimea had reached its height. Enormous cost had been incurred, yet the siege made little progress, and the sufferings of the troops from want of shelter, clothing, and other necessaries, were such as stirred the generous feelings of the entire nation. Impatient interrogations were put night after night to Ministers, and assurances tranquillizing for the hour were given. But fresh tidings came every other day of privation, sickness, and death, ascribed to neglect, mismanagement, and delay in the administration of the commissariat and transport service. Our allies, who permitted no revelations in the press as to the actual state of their camp, were supposed to be in all things in far better case, and the imaginary contrast was dwelt upon in paragraphs and speeches, until men's minds were worked up to a paroxysm of indig-

nation against those, by whose incapacity the objects of the war and the lives of a noble army were said to be sacrificed. Mr Roebuck gave notice that he was about to move for a committee of inquiry into the state of the army before Sebastopol. Lord J. Russell informed the Premier that he could not conscientiously resist the motion, and that, as it was not to be acceded to, he must resign. The fact becoming known, contributed necessarily to ensure its success. 1855. 23rd Feb.

Sir J. Graham was disabled by illness from taking part in the debate. As far as the parliamentary issue was concerned it mattered little; for nothing he could have said or done would have availed to arrest the adverse tide. Friendly Conservatives, and mal-content Whigs, inappeasable foes of Russia, and peace-at-any-price politicians, inveterate opponents of the coalition, and some of its most constant supporters, united to swell the vote of condemnation; and few will deny that it was ratified by the approval of the country. Personally it was a cause of no little mortification however to Sir James, that he could not be present on the occasion which determined the fate of the Ministry. Individually, he had incurred no blame. He was fully conscious that, as regarded the action of his department, no case could be made out of inefficiency. When defending the Government on Mr Roebuck's motion, Mr Sidney Herbert read a statement, which showed Serious illness.

1855. Transport Service.

that from the 7th February, 1854, to the 11th January, 1855, the Admiralty, in their own ships or hired transports, had conveyed to the East,—British troops from England, officers, 2141; men, 54,224; horses, 5408; provisions from England, 29,261 tons, navy service; 18,897 tons, army service; 19,105 ordnance stores; 110,867 tons of coals; 3320 naval stores; and from Malta, 7180 tons. French troops from Marseilles and Toulon,—officers, 556; men, 14,055; horses, 193; stores, 8037. From Calais to the Baltic,—French troops, officers, 437; men, 12,888; horses, 21; British stores, navy provisions, 9346 tons; ordnance stores, 266 tons; naval stores, 247 tons; coals, 47,907 tons. Making a grand total of 3134 officers, 81,167 men, 5622 horses, and 254,433 tons of provisions and stores." Later in the debate, Mr B. Osborne, in the absence of his chief, observed as a well-founded cause for satisfaction, that no one had, throughout the long and excited discussion, sought to raise any question regarding the administration of the Admiralty. Never in point of fact had the resources of the department been wielded with greater vigour or with more wise and comprehensive adaptation of means to ends. The only individual who was not content with what had been done, was the First Lord himself. In his sick chamber he was still incessantly busied with the cares of his office, and occupied with practical schemes of improvement. He was not satisfied with

the working of the Transport Service; and after many conferences with the most experienced persons in the Treasury and the War Office, he had matured the plan for the organization of the Transport Board, by which such important results were subsequently obtained. His views may best be given in his own words:— 1855.

Reorganization of Transport Board.

"When I abolished the Navy Board under the Act of 1832, I brought the whole of the Victualling and Transport Service immediately under the control of the Admiralty. I contemplated, and avowed the intention, in the event of war, of severing the Transport Service from the Victualling Office; and, in 1854, my experience during the Russian War, at its commencement, led me to the conclusion that that intention was right, and my last act before leaving the Admiralty in 1855 was to constitute the Transport Board. I think that there should be in time of peace a nucleus from which, in the event of war, a Transport Board may readily be formed at the Admiralty, and, on the whole, I think for that purpose it would be wise in time of peace, to sever the Transport Service from the Victualling Department; but I do not see the necessity of a Board in time of peace. On the whole, it would be better to have one officer in connection with the Admiralty, as the head of the Victualling Department now is, at the head of the Transport Service; and, in the event of war, that single individual should, I think, become one of a board constituted as the late Transport Board was in 1855, which, by its working, proved itself efficient in time of war; namely, a board composed of a naval officer, a civilian conversant with shipping, and a military officer selected in concert between the

1855. First Lord of the Admiralty and the Minister for War. I should be very sorry to see the whole Transport Service conducted in Queen's ships; and on the other hand, I should be very sorry to see the State dependent absolutely and entirely on the merchant service, but I think a combination of the two the safest and best course. I am very adverse to boards in general. I have expressed that opinion, with the entire concurrence of a very able committee upon the organization of the army; and I certainly regard this as an exception, and I think it more strongly an exception, because I have deliberated more carefully, and have investigated the matter more closely."*

Stores of all kinds were transmitted promptly and in abundance from the shores of England to those of the Crimea; and had the Commissariat been as efficient as the Navy, and the appointments to the staff been made by the Horse Guards with as true a regard to merit as those by the Admiralty, there would have been no Sebastopol committee. Nevertheless, no man was more ready to share in full the responsibility of his colleagues; and no one showed less hesitation about staking the existence of the Government on the broad question of confidence or no confidence. He thought that, having been in charge of the national safety when "they had drifted into war," he and his colleagues were not at liberty to quit their posts, so long as they retained

* Evidence before the Select Committee on the Administration of the Navy, 1861.

ostensibly the confidence of the House of Commons. From the moment that confidence was withdrawn he felt it to be their duty to give place to others. In his own department he had laboured unceasingly; and he knew that he had no fault of negligence or nepotism, wherewith to reproach himself. In the sudden strain of a system which had become dry-rotten in a period of protracted peace, some portions had undoubtedly broken down. Directly, he was not accountable regarding any of these; but in the high sense he always maintained of collective responsibility in an Administration, he acknowledged without reserve his amenability to censure, and bowed without a murmur to the stroke. The motion for a committee was carried by 305 to 148; and on the following day the Aberdeen Cabinet ceased to exist. 1855. 29th January.

Lord Derby having been sent for by the Queen, attempted to form what he conceived would have been a strong Government, by inviting Lord Palmerston, Mr Sidney Herbert, and Mr Gladstone to join him. Upon their refusal, he renounced the attempt; and the Queen confided the task to Lord John Russell. Several of his former colleagues agreed to act under him; and he sought an interview with Sir James Graham, who was still confined to his bed. To the request that in the proposed arrangements he would re-assume his post at the head of the Admiralty, he replied that under other circumstances, he should have had no ob- Various attempts to form a Government.

1855. jection; but he added, "I know that I have been often reproached with versatility in reference to party connection; I have acted upon terms of the utmost confidence during the last two years, under Lord Aberdeen; and on the morrow of his fall, I do not think I ought to show myself ready to take office in a Government, the head of which voted against him." In the course of the same afternoon Lord Clarendon declined to act under Lord John; and this attempt likewise failed.

Lord Palmerston Premier.

Some days passed, during which conjecture busied itself as to the issue of the crisis, and in which various intrigues, real or imaginary, occupied political tongues and pens. At length Lord Palmerston received an intimation of the royal desire that he should form a Ministry. In doing so he sought to rehabilitate, as nearly as possible, the Coalition which the House of Commons had a fortnight before declared unworthy of confidence. With the exception of Lords Canning and Panmure, the new Government was altogether composed of those who had been members of the Coalition. Mr Gladstone resumed his post as Chancellor of the Exchequer; Mr S. Herbert became Home Secretary; and Sir J. Graham was once more named First Lord of the Admiralty. The circumstances under which he agreed to resume his port-folio were thus stated by himself in the House of Commons.

"I had the greatest difficulty when the noble Lord paid me the distinguished compliment—an undeserved one—of wishing me to be a member of his Administration. The House will pardon me for saying that, being confined to my bed, I was not in a condition to carry on a protracted correspondence, or to make many inquiries; but there was one point which was cardinal, and upon which I required explanation. I wished to know from my noble friend, whether there was to be any change in the foreign policy to which, when in the Aberdeen Cabinet, we gave our united consent; and whether, with reference to the negotiations pending at Vienna, there were any alterations in the terms which in our opinion were consistent with the attainment of a safe and honourable peace. I thought it my duty to satisfy myself on that leading point; and my noble friend, in the frankest manner, gave me explanations which were entirely satisfactory. Glad to be satisfied on that question, which I considered to be the main one, I made no further difficulty; nor did I make any more inquiries. I said frankly,—I will do my very best, if you think my services useful in the maintenance of your Government. Perhaps greater caution might have been exercised by me, respecting the proposed committee of inquiry; but I was of opinion that two Ministers, my dearest friends, who had been trusted long by the Crown, and whom I believed to be as blameless and trustworthy as any who ever served her Majesty, Lord Aberdeen and the Duke of Newcastle, having unjustly incurred public obloquy, had been sacrificed to the wishes of the country and the pleasure of this House,—that sacrifice having been made, and the national opinion being strongly in favour of the noble Viscount's being elevated to the post of First Minister,

1855. Sir James consents to resume office.

1855. and Lord Panmure, so conversant with the affairs of the army, having been made War Minister—I did believe that changes had been made which would be satisfactory to the House and the country. I thought this the more especially, because announcements were coincidently made of great administrative reforms."*

Several changes in military administration were immediately announced, to which importance was attached; and with these he supposed that public opinion would be satisfied. The House of Commons, however, showed no disposition to abandon the Sebastopol inquiry. The Conservatives thought they had cause to complain of the manner in which Lord Derby had been foiled, in his attempt to form a Government; and they ridiculed what they called a mere re-cast of parts among their rivals. On the other hand, no concession had been made to the middle-class Liberals below the gangway. The Premier seemed at first to believe that the order for the appointment of the committee might be discharged, and the matter allowed to drop; but seeing that he would probably be defeated if he tried in this way to get rid of the inquiry, he made up his mind to yield the point, and a majority of the re-constituted Cabinet concurred in his view; Sir James Graham, Mr S. Herbert, and Mr Gladstone could not, however, bring themselves to concur. They

Sebastopol Committee persisted in.

* Debate of 23rd February, 1855.

had resumed office under the impression that the committee, which had been refused on grounds of public policy, and sooner than agree to which, Lord Aberdeen's Cabinet had been broken up, could not and would not be granted by his colleagues who had returned to power without him. The country must have a Government; and as every other combination had been ineffectually tried, if Lord Palmerston would only tell Parliament plainly, that he would not be responsible for the conduct of the war, with an open committee up-stairs sitting thereon, the difficulty would be at an end. This view, however, was overruled; and they accordingly resigned. 1855. Peelites resign.

As soon as he was able to resume his attendance in the House, Sir James took his seat on the second bench below the gangway,—a position which he never afterwards quitted. He had made up his mind not to take office again. Hard work had begun at last seriously to tell upon his strength. His large frame and florid colour led to the impression that his bodily vigour was equal to that of his mind. But it was not so. He had all his life been subject to attacks of gout; at twenty he had been compelled for a time to use crutches; and though now but 63, he began to feel himself an old man. Power had not lost its charm for him, but office had. He still liked the House of Commons better than any other place, and enjoyed the influence he exercised there as much as ever. But of office he had had

1855. enough; and from his resolution formed at this time, not to enter it again, he never felt any inclination to depart. His speech explanatory of his reasons for leaving Lord Palmerston's Cabinet, so soon after its formation, was listened to with peculiar interest.

23rd Feb. Reasons for quitting office.

"Having ceased to be one of the confidential servants of the Crown, and now only holding office until my successor is appointed, I feel it a duty incumbent on me, with the permission of the House, to state the reasons which have induced me to take the step to which I have already alluded. In consequence of severe illness, I was unable to be in Parliament on a late occasion, when the hon. and learned gentleman below me made his motion for a Committee of Inquiry, and which Committee I believe he is now about to nominate. I did not take any part in the debate that preceded the division on that motion; and I was unable to record my vote on that occasion. I shall therefore crave the indulgence of the House while I enter into some of the reasons which led me to think that the further prosecution of inquiry by a Select Committee of this House is, in the present circumstances of the country, inexpedient and dangerous — first premising my understanding that the Government has adopted the motion of the hon. and learned member for Sheffield. If the Executive Government has made up its mind that a Committee of such vast importance in our present circumstances should be appointed, I regret extremely not to find among the names now proposed that of any member of the Government. I object to the appointment of a Select Committee altogether. I think that, in our present circumstances, unwise revela-

tions might be made before that Committee, and peculiar dangers incurred at the present moment with reference to the war. It is quite open to the majority of that Committee to decide whether it shall be secret, or open to the public. If six out of the eleven should be of opinion that strangers ought to be excluded, then it will be a secret committee; but if, on the other hand, their decision should be of an opposite character, then it will be an open committee. Let me regard this question in its double aspect. If it should be decided to be a secret committee, all chances of public opinion operating upon it will be withdrawn, the proceedings will not be known, and the persons inculpated by the evidence will not have the opportunity of defending themselves, of preparing for defence, of cross-examining the witnesses, or of rebutting false accusations: and until the termination of the inquiry, the whole of the examinations will remain secret and unknown. If it be an open committee, then from day to day the evidence will be published, the most adverse comments of a party character will be applied to that evidence so published, and the most erroneous impressions will be formed, bearing hard on absent individuals having no power of examination or defence. Effects painful to the character and position of persons filling high stations may be produced; and altogether there will be no restraint on the proceedings of this Committee, from the hour of its delegation to the period at which it makes its report. Now I must say that, considering the gravity of the subject, its immense importance and bearing on interests of a magnitude almost unprecedented, the delegation of such powers to a Committee of eleven members of this House, appears to me to be a most dangerous course. I am not aware that there is any precedent in our parliamentary

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1855. history for such delegation, and the appointment of such a Committee, although I know that rarely, but still occasionally, inquiries have been instituted at the Bar of the House. For my part, I should have infinitely preferred such an investigation. Then the parties would proceed in the presence of the public, proceed checked by the intelligence and knowledge of many members of this House, with reference to the subject matter. There would be every publicity, but publicity under check, and through the accustomed channels; and, on the whole, as between a Select Committee and an inquiry at the Bar, I, for one, should not hesitate to prefer the inquiry at the Bar. A Select Committee is unprecedented; while, for an inquiry at the Bar, there are precedents to be found, although not applicable to the case now in hand. I believe that at an early period, in the time of William III., there was an inquiry with reference to a naval expedition; and, at a later period, the Walcheren inquiry took place at the Bar. But in both these cases the military operations of the war were not pending; the war had terminated, and the generals and admirals whose characters had been attacked, were present to defend themselves. In the Walcheren case, Lord Chatham appeared at the Bar, and had the opportunity of stating his case, and of being heard in his own defence; but as matters now stand, we have the immense question of the condition of our army in the Crimea as a subject of inquiry, and no instructions have been given as a guide to the Select Committee. Far be it from me to contest the power of this House in its largest sense. I know not of any object so minute as to be below its notice, or so exalted or so remote as to be beyond its range and power. I am not the person to cut down the authority and power of this House; my whole

public life has been spent within these walls, and the greatest efforts of my youth and of my more mature years—it is not as a matter of regret I mention it—have been devoted to increasing the democratic power of this assembly. Within its proper sphere, no man rejoices more in its power, its control over the officers of State, and the Ministers of the Crown—its powers co-ordinate with the Crown and the House of Peers, and greater than those of the House of Peers with reference to taxation, supply, and ways and means. As the grand inquest of the nation, I admit in the broadest sense, its constitutional power; and I know no limit to that power, except when, by its exercise at an ill-advised moment, it shall trench on the legitimate and constitutional functions of the Executive Government. On the first night's debate, when this Committee was moved, we heard from almost every one, at least on the opposite side of the House, the admission made, that the motion for this inquiry was only intended as a vote of censure on the then existing Government. My impression was, that it was looked upon as a vote of censure, and in that sense opposed. Lord Aberdeen's Cabinet treated it as a vote of censure, and acting on this impression, resigned. Now allow me to ask, if censure was inherent in that motion for inquiry, how can the circumstances have been altered by anything that has occurred since? If it was a vote of censure, then surely the nomination of the Committee is a vote of censure. If it was right not to submit to that vote in January, how can it be right tamely to submit to the nomination of the Committee in February? It appears to me that the grounds are the same, the intentions are the same, and the objections are the same. My only regret is the novelty of the course which has been now adopted. Well, but then it may be said,

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1855. has nothing happened since to alter the aspect of affairs? Much has certainly since occurred. Lord Aberdeen, has in obedience to what he deemed a vote of censure, resigned. The Duke of Newcastle, feeling the implied censure, no longer takes his place at the council-board. My noble friend, the member for Tiverton, supplies the place of Lord Aberdeen; but, although he now supplies his place, he acted with us, in strict conformity to our united opinions, and treated the vote appointing a committee as a vote of censure, yielded to it, and retired. Then, with the exception of Lord Panmure and Lord Canning, all the members of the Cabinet are the identical persons who were members of Lord Aberdeen's Government. And allow me, in passing, to observe that on Friday last, when the noble Lord at the head of the Government opened the policy of the Cabinet, he appeared distinctly to recognize the existence of this Committee, if persisted in, as a difficulty which was not to be lightly regarded, if it could be resisted; because he tendered to the House, and volunteered the functions of the Executive, in lieu of the prosecution of this inquiry.

"I was much surprised to find that it was considered necessary to proceed with this inquiry. I certainly may be charged with want of foresight: I readily submit to that imputation; but at the same time I must claim the right of holding my own opinion with respect to this inquiry. In the first place, then, I believe it to be unnecessary. I am certain that the Executive Government possessing the confidence of this House, can more efficiently, more rapidly, and more certainly do what is wanted to be done, than can be expected from a prolonged inquiry. While these gentlemen, without any official knowledge, were picking their way as best they

might, without the assistance of a servant of the Crown, the Government would be deciding; and while they would be seeking the way to reform the Executive, the Executive, wielding the power of the Crown and the confidence of this House, would do rapidly, surely, and safely what was to be done. More would be done if Government were not hampered by the fear that this Committee, exercising the functions of the Executive, might impede and obstruct their operations. I have said that I consider this Committee unnecessary; but I have a few stronger objections. I consider it unjust; and if the House will bear with me, I will give my reasons for holding that opinion. The Executive Government appoints all the admirals, all the generals, and all the officers in the army and navy, to domestic stations and on foreign service. The servants of the Crown have the power of selection, the power of control, the power of promotion, and the power of removal. They have also the power of directing punishment according to the decision of the tribunals recognized by the Legislature of the country; and I must say that I think the officers so chosen and so controlled, so subject to the authority of the servants of the Crown, have a correlative claim on the latter, to be defended from any other inquiry which is to take place behind their backs. I have said that I think this inquiry unjust, and I have said that I think it dangerous. I will show you now why I consider it particularly dangerous. Will the House permit me, with reference to my own department, to revert to allegations made against me, that I had been highly culpable with regard to the blockade in the Black Sea? I met that accusation in my place, and on the spot. I told the House what were the circumstances which led to the delay, for three months, of the sailing of the expedition from Varna 1855.

1855. to the Crimea; and explained how, during the conduct of the expedition, the whole naval force of England and France was employed, and how impossible therefore it was to execute the blockade until the end of October: and then, going to the verge of what was consistent with my duty, I shadowed forth the danger of prosecuting any further inquiries respecting the blockade. The House, with its usual prudence and intelligence, refrained from pressing me further; and the statement I made will, I hope, lead to no dangerous consequences. But the Committee calls an admiral before it; perhaps makes that very inquiry, and does not show the forbearance which was shown by the House, asking the admiral to go into details which I shadowed forth, and which the House did not ask me to explain. Under the compulsion of the Select Committee, he is forced to disclose all the incidents that led to that delay; and it depends on the prudence of six out of the eleven gentlemen whether the inquiry is not so prosecuted. If, unhappily, prudence should not prevail, I state it confidently, that the inquiry would bring it up directly to our connection with our great and powerful ally, when it is of the last importance that no misunderstanding whatever should exist. And I warn the House that this delegation, without any check or control, resting only on the chance-medley prudence or imprudence of six out of eleven men, may involve this country in the most serious consequences. I said that this Committee was unnecessary; let us carry the argument a little further. I allude now to the position of Lord Raglan; and that bears directly on the state of the army in the Crimea. I imagine that of all the difficulties in which the most splendid human talents can be tried, the successful command of an army in the presence of a superior force of the enemy, is the most se-

vere trial. The chance of success in that command rests mainly in the possession of undivided authority. It has been tersely said by one of the greatest military authorities of antiquity, 1855.

> 'Id est viri, et ducis, non deesse fortunæ
> Præbenti, se et oblata casu flectere,
> Ad consilium.'

Now that was the opinion of a great general; but if your commander is in command beside another army, there must be constantly situations involving complicated considerations, there must be compromises in decision, and questions about the distribution of relative forces. Respecting all this there must be inquiry. I will not go further. I have shadowed forth the danger of inquiry respecting the army in front of Sebastopol; and without further observation from me, there is not a single gentleman present in this, the most intelligent assembly in the world, who does not feel the nature of the dangers to which I have alluded. But it is said that whatever danger there may be in this inquiry, it is irresistible. Now I demur to that doctrine, which is, in itself, a most dangerous one. It is irresistible only because those whose duty it is to confront it have not the firmness to resist, but yielding to the danger which, if resisted, would be certainly overcome, they are hurried into consequences against their conscientious convictions, which are sure to be of the most perilous nature. I know that I have exposed myself to the most painful of all taunts. It may be said to me, 'You are about to leave your colleagues in a season of immense difficulty; and it is in moments of immense difficulty that the bonds of political union ought to be most carefully observed.' But I must be permitted to say, without offence to my friends on

1855. the Treasury bench, that I deny that I am the deserter on this occasion. I took my position in common with them, in resolving to resist this inquiry. It was resisted; the position was taken up firmly. I still stand to my guns in that position; they abandon it, spike the guns, and run away. Allow me still further to observe, that I cannot believe it is right in a Minister of the Crown, if he believe that any given course is dangerous, to decline resistance because resistance may be unpopular, and thus refuse the House the opportunity of reconsidering its decision. I know no greater duty in a public man than that of acting up to what he conscientiously believes to be right; and it is in the painful discharge of that duty that I have this evening appeared before you. I know nothing more honourable than the service of the Crown, when united with colleagues in whose principles and whose measures you concur—and when you enjoy the confidence of the people and the Sovereign. But, on the other hand, I know nothing more dishonourable or more painful than assenting to measures, adopted by the majority of your colleagues, which you consider dangerous, and which your conscience and your judgment tell you are improper; and, I must add, when you have the painful conviction that the confidence of this House is not reposed in the Cabinet of which you are a member. It may be said, what right have I to make the last assertion? The navy estimates and the army estimates have both been voted. But, sir, I have been long a member of this House; and there are indications which are not to be mistaken. I should conceal the truth if I did not state that, having sat on that bench, only three or four evenings after great changes had been made in order to conciliate this House, I came to the painful conclusion that the Administration of which, until

to-day, I was a member, did not possess in a greater degree the confidence of the House than that from which we had all retired together. I have said that I would speak without reserve; and with your kind indulgence, I have executed my purpose, imperfectly, but honestly. 'Honied words at parting with colleagues are almost nauseous, and generally deceitful, and like lovers' vows, under similar circumstances, always unavailing and laughed to scorn. I shall not, therefore, make any professions; but it shall be my endeavour to mark by my conduct my sense of the responsibility I have incurred by the step I have just taken. With the colleagues whom I have left I have worked for two years; they were my friends, and I esteem them. I value them, but I could not be led by them to take a step which my judgment and conscience disapproved of. My feeling towards them is strong and friendly; but if it were unfortunately more adverse than it is, I should still feel it my duty to give them in every possible way my humble support. From anything which may interfere with the administration of the public business I shall religiously abstain; and my votes will be in accordance generally with the Government. I shall, sir, make no further professions, but instead of professions, endeavour to prove by my conduct, that with me the safety of the State, in a moment of great emergency, is paramount to every other consideration." 1855.

Mr Gladstone and Mr Sidney Herbert expressed similar views. Their places were filled by members of the Whig party; and thus ended the Coalition.

CHAPTER XI.

CLOSING YEARS.

1856—1861.

1856. Resolution not again to take office.

WITH so many conspicuous instances before them, of the eager pursuit of official power, by men who had enjoyed its possession longer, and who had counted more winters than himself, people were not disposed to believe that the course of Sir James was thenceforth uninfluenced by the ambition that had formerly inspired him; and on some of the occasions which remain to be briefly glanced at, it was still set down as an inspiring motive. It was not known beyond a very limited circle how often he had refused office; or how unhesitatingly he had on more than one occasion given advice, whose manifest tendency was to deprive him of it. He felt indeed, and often owned, that he had made a mistake in agreeing to form one of Lord Palmerston's Cabinet; and it was not long before he began to find fault with it in many

respects. He had no idea that "the old concern," as he would sometimes call it, could be kept going on the principle of exclusion. The Duke and Sir R. Peel had always held the tradition of Mr Pitt, that one of the first duties of a statesman truly loyal to Conservatism, was to seek out and satisfy the available ambitions of the middle class, not to wait until they had been soured into faction, by insolence and injustice in high places. Individually his social pride had, no doubt, been gratified at finding himself, in 1830, a member of a Cabinet, in which there was but one individual who was not a peer, the son, or the grandson of a peer. But he thought the family-party system amounted to infatuation. He would gladly have seen a less exclusive distribution of offices when the Coalition was formed; though that was one of the cases which, from its very nature, rendered it harder than usual to find room for outsiders. But he considered it not only a great mistake in the Whigs, when they had the Government to themselves, not to have given political office to the men, who by their talent and constancy had made themselves the spokesmen of great interests and great classes in the House of Commons. In 1855, when the minor parliamentary offices were being filled up, a decided predominance as usual appeared in favour of the privileged order. Sir James, from the seat he had resumed below the gangway, listened curiously to the successive announcements made by Mr Hayter.

1846. Class monopoly of office.

1856. At length he was heard to mutter half aloud,—"What, another lord!" With all his aristocratic habitudes and leanings, he regarded it as a grave mistake on the part of those who had the chief place in Administration, to monopolize its honours and emoluments for the benefit of their own connections, or of those of equal birth with themselves. "It may do for this time and next," he would say; "but the stomach of the country will turn at last." And when on a subsequent occasion high office was bestowed on one who was known as a man of pleasure rather than of political ability or experience, he observed when writing to a friend,—"I think it will require several more appointments of exemplary Low Church bishops, to restore the odour of sanctity to her Majesty's Government."

But he thought the man who had in the hour of disaster undertaken the conduct of the war, was entitled to great forbearance during its continuance, and his only fear was lest it should be continued too long. A speedy peace, that would secure the original objects for which the sword had been unsheathed, was his chief desire. National vengeance he felt to be as manifestly wrong as individual revenge; and he saw, with grief, how thoroughly the multitude were fooled by the boisterous and boastful assurances held forth at public meetings, and in public journals, that peace would never be concluded until the thousands of lives lost in the

Crimea were atoned for, and the millions of treasures spent were repaid. He knew too well the emptiness of such illusions; and how little they were shared by the most sanguine members of the Government. He would gladly have seen an armistice concluded on the basis of the Four Points; and he was full of regret when the negotiation failed. The frustration of Russia in her schemes of aggrandisement he thought right; but the humiliation or dismemberment of Russia, to be accomplished by the outpouring of English wealth and blood, he looked upon as altogether wrong. The spread of absolutism in Europe was not to be apprehended from that quarter, but from another and much nearer one. We had taken arms to maintain the balance of power; but what would become of the balance, if on the continent, the autocrat of the West were left without competitor or rival? He was all for permanent and intimate alliance with the United States; but sooner or later that alliance must be rendered impossible, it we suffered ourselves to be drawn into a crusade against the existence of a power, which the Americans would never stand by and see overthrown. As leader of the defence of the lesser European powers against Muscovite encroachment, England was certain to be all-powerful; and while we kept within that line of international duty, the public opinion of Christendom would be with us. Beyond this it would be equally a crime and a blun-

1855.

Alliance with the United States.

1856. der to go. During the next twelve months he anxiously looked for every sign of a disposition to come to terms; and never ceased to deprecate the ideas and suggestions that seemed to lead to a further expansion of the sphere of the war. At length, however, Sebastopol fell; and the Czar, whose rapacity and fanaticism had lighted the flame of European conflict, having been removed from the troubled scene, a cessation of hostilities was at length obtained. The conclusion of peace was announced by Lord Palmerston on the 31st March, and to none were the tidings more welcome than to Sir J. Graham. When not long afterwards Mr Whiteside moved a resolution, condemnatory of Government for the surrender of Kars, he declared, while admitting that faults had been committed, and that opportunities to furnish timely aid had been lost, that he could not bring himself to join in a censure upon the men who had brought the war to a successful termination, and upon whom to cast reproach for subordinate errors would neither be generous nor just.

Compulsory Education.

The most remarkable discussion in which he took part during the Session of 1856, was that upon the plan of national education, submitted by Lord J. Russell, in a series of resolutions, which contemplated the imposition of a local rate in every district for the maintenance of a school, the appointment of a master by the majority of the rate-payers, the compulsory attendance of children, and a great extension

of the staff of inspectors under the Committee of Privy Council. The scheme was supported by Lord R. Grosvenor, Mr Roebuck, Sir J. Pakington, and others. It was opposed by Mr Henley, Mr Gladstone, and Sir J. Graham, who dwelt especially on its tendency to extinguish voluntary effort, and to introduce in another form the religious contentions which embittered the levying of Church Rates. If it failed to produce such consequences, it would only be in proportion as it tended to encourage the practice of popular instruction, without any earnest religious teaching, which he thought the worse evil of the two. He criticized severely the scope and tenour of the plan, which in a variety of respects he considered objectionable: and at the conclusion of his speech its fate was felt to be decided. It was rejected on a division, notwithstanding the support of Ministers, by 260 to 158.

1856. 10th April.

Towards the close of the year, intelligence was received of proceedings at Canton, which gave rise to animated discussions in the press, and subsequently in Parliament. Papers were laid upon the table by the Government, on which they rested their defence of the Consul-General, Sir J. Bowring, and the other persons acting under British authority in China. All sections of Opposition however concurred in taking a different view. War with China was denounced as alike inexpedient and unjustifiable by Mr Disraeli, and by Lord J. Russell, by Mr Sidney Herbert, and by

1857. Affair of the Lorcha. 24th Feb.

Mr Cobden, who moved a resolution to the effect, that the papers produced by Ministers failed to establish satisfactory grounds for the violent measures resorted to at Canton, in the affair of the *Arrow*. The debate lasted four nights; and the vote of censure was carried by a majority of sixteen. Lord Palmerston forthwith announced his intention to appeal to the country; and on the 21st March Parliament was dissolved.

General election.

Great efforts were made by Government to unseat those Liberals and Peelites who had concurred in the China vote. Mr S. Herbert was seriously threatened in Wiltshire, and Lord J. Russell had a severe contest for London. At Carlisle, as elsewhere, popular opinion was much divided. The other member for the city, Mr Ferguson, had voted with Ministers; and the contention between his friends and those of Sir James waxed so warm, that it seemed impossible that they should concur in a common course of action. The right hon. baronet thought so too; and he wrote accordingly to Mr Mounsey, who had generally been among his most active supporters, that the Blue party must come to a prompt decision. He would create no division among them. They must make their choice between Mr Ferguson and him; for after the vote on Mr Cobden's motion, he did not see how they could stand in coalition; and if not, there could be no doubt that the Liberal interest would be split, and the result placed in jeopardy. If

on the whole they disapproved of his conduct, let them say so, and he would bow to their decision; but he could not surrender or compromise his independent conviction. When the contents of this letter were made known, some were for taking him at his word; while others, remembering his eminent services and conspicuous abilities, which they contrasted with the silent uniformity of his colleague's votes in favour of Ministers, urged that he should be supported as heretofore, by the whole strength of the party. The question as to what was to be done about a new candidate still remained. Mr Ferguson's friends were not disposed that he should give way; and Sir James was assured by many that his seat would be in no danger, if he would only come down and have it out with those who found fault with him, in the face of the constituency. This he was not disposed to do; and more than once he intimated that he was unwilling to leave town before Parliament was dissolved. At a meeting held at the Mechanics' Hall, a resolution was carried to support Mr Ferguson and a second Liberal, who it was understood was ready to stand in conjunction with him; and the address of the new candidate appeared on the following day. Before a canvass could begin, several of Sir James's friends, resenting the precipitancy of this step, resolved that he should not a second time have cause to say that he had been judged without being heard; and a requisition was forth-

1857.

Divisions at Carlisle.

1857. with put in course of signature, calling upon him to meet the constituency, and to explain the reasons of his recent conduct in Parliament. Pending his answer, it was clear that nothing effectual could be done; and to bring matters to a point, three gentlemen undertook to proceed to London, and if they found it impossible to shake his determination or to induce him to visit Carlisle, to find a candidate who might be acceptable personally to him as well as to his colleague.

Sir James advised to withdraw.

He was not a little surprised when the deputation explained to him next day the purpose of their visit. Popular feeling, they said, was against him. He might yet turn the current by giving a pledge, that in future on questions implying confidence, he would support Lord Palmerston; but if he refused, they were authorized to seek a candidate at the Reform Club. He unhesitatingly refused to give any pledge of the kind; and interpreting the alternative they had named as a threat, he told them they might take what course they pleased. They left him without eliciting his actual intentions in the event of a contest; and were not long in ascertaining how difficult it would be to find any one to whom he and Mr Hayter would both agree.

Yielding to the first impulse of chagrin, and believing that, as in 1837, the wires had been pulled from London, he made up his mind that his seat for Carlisle was lost, and that he would only expose him-

self to useless humiliation by an attempt to recover it. 1857.
In his vexation he began to think whether this might not be as good an occasion as any other of bidding farewell to public life. He had had thirty years of Parliament; he had written his name upon the tablets of his time, and he had no longer any dream of unsatisfied ambition to beguile him into lingering longer on the stage. Better quit the scene while his faculties were unimpaired, than wait till age or infirmity should audibly warn him to retire. He would sum up what he had done in days that were past, and what he thought best for the country in days that were to come, in an address that all England would read, and which, as the political testament of a statesman who no longer meant to meddle in affairs, would be respected and remembered. But it must be done carefully and thoroughly, and not without reflection and time for examination. The closing act of his public life should in no respect be unworthy of him. Framing a Valedictory Address.

Possessed with this idea, he sat down to his desk, and for some time occupied himself with selecting and arranging the materials of the retrospect he designed. Volumes of Hansard marked for reference covered his table, and beside him lay a pile of private papers, wherefrom he contemplated making notes. While thus engaged, Mr Cobden was unexpectedly announced. He had come, he said, in consequence of a rumour that had reached him, that Sir James intended to withdraw from Carlisle, an act which

1857. Interview with Mr Cobden.

he believed to be wholly uncalled for under existing circumstances, and which in any case ought not to be thought of by a man of his mark and station, without an emphatic vindication of his recent vote, and the motives which had induced him to give it. This could only be done on the spot, and face to face with his constituents. Let a public meeting be called at once; let the whole story be told to the people as Sir James knew well how to tell it; and there could be no doubt of the issue. With arguments like these Mr Cobden strove to turn him from his purpose: but for a time he strove in vain. He had had enough, he said, of thankless and unprofitable toil; he was growing old, and his strength was no longer what it used to be. If the country would have a senseless and sanguinary war with China, let it be so; he had done his best to warn it of the folly, and he could do no more. But why should he sacrifice what remained to him of life in fighting contested elections? It was clear that a run would be made at every man of spirit or worth who had taken the course they had done in Parliament; and if he stood for Carlisle he believed that nothing would be left undone to harass and humiliate him. Why should he expose himself in such an unequal struggle? His visitor remonstrated afresh, and urged that one who had played so great a part, throughout a long course of years, could not with dignity or propriety submit to be hustled off the scene upon such a question as

this miserable one of the *Lorca*. If he chose to withdraw from political life of his own free will, he might do so at any other time; but the world would not believe, if he gave way now, that he not been driven to do so. There was a pause. Then rising from his seat, and looking at the volumes of Hansard lying open on the table, he said, "In a party sense it must be owned that mine has been a devious career:" and as the words fell from his lips he thought, no doubt, how open his ill-wishers deemed him to invidious attack. But the old combativeness of his nature warmed within him as he listened to the self-made man, who, without any of his great advantages in life, had by sheer force of will and talent, raised himself to be a power in the country and in Parliament, which no jealousy or antipathy could afford to deny. It is the truest test of genuine courage, that it has the power of encouraging others. The desponding statesman felt half ashamed at having yielded so far to his despondency; and before the interview ended he wrote and sent a telegraphic message to his confidential agent at Carlisle, to engage the large room at the Coffee House for the following night, when he would address the electors. 1857.

Resolves to stand.

At the appointed hour Sir James appeared, not as he had done thirty years before, the sanguine and thorough-going aspirant to parliamentary honours, but the staid and dignified senator who had long served the State, and who on his own terms of repre-

1857. sentative independence was ready to serve it still, but who looked as though the people of Carlisle ought to feel that they had more at stake in his re-election than he.

Wins back popular feeling.

At first there were manifest signs of irritation among his audience; and any infelicitous word let fall among the inflammable mass, might have caused an explosion. But he had come there resolved to triumph; and every syllable was measured and every tone of his voice attuned to the accomplishment of his purpose. He wanted and would take nothing but their good will. He would rather have left the city undisturbed until the eve of the election; but an attempt had been made to supplant him in their confidence, and he was resolved this should not be. He had voted against war with China eighteen years before; he had voted against it yesterday; and he would do so again to-morrow. He thought it an unwise and an unworthy war,—unwise because they had nothing to gain by impoverishing a nation who might be among their best customers,—unworthy because on all hands it was confessed that the Chinese were unable to cope with us in a fair field. Englishmen ought to fight their equals; they ought not to trample on their inferiors. The example of India ought to warn us against being dragged into further Oriental encumbrances. He would retract or extenuate nothing. As he had voted before, he would vote again. They had only finished one sanguinary

and expensive war last year, and he was not in favour of plunging into another so soon. They had much better call upon the Government to redeem their overdue promises of further reform. The Russian war had caused the postponement of that measure in 1854; and if they suffered it to be further adjourned, whenever their rulers could pick a quarrel somewhere or with somebody, however weak or unworthy of their arms, electoral abuses would last during the residue of their lives. By degrees the attention of the crowd became absorbed. Their sympathy was excited and their pride aroused, by his description of the means employed to oust him from the representation; and before he had been half an hour on his legs, it was plain that he had fairly mastered the difficulty of his position. Thenceforth all was enthusiasm and applause. "I had heard most public men," said one who was present, "and I had often heard him before; but I never recollect witnessing so complete a triumph over adverse and suspicious feelings in so brief a space of time; and though at the end I still continued to think him wrong on the China question, I felt that there was not in Cumberland, or perhaps in England, any man who could have effaced the impression made by that speech, which in manner, gesture, tone, and delivery, was the most marvellous I ever heard." At its conclusion a vote of renewed confidence in him was passed; and no further attempt was made to

1857.

1857. bring forward a new candidate. As in 1852, he declined to canvass personally, contenting himself with addressing public meetings. Sir James headed the poll by thirty-seven votes; and the Conservative candidate, Mr W. N. Hodgson, defeated Mr Ferguson by forty-two.

Others who had concurred in the China vote were less fortunate. Mr Bright and Mr M. Gibson were defeated at Manchester, Mr Layard at Aylesbury, and Mr Cobden at Huddersfield. Lord Palmerston's majority in the new House was decisive; and all further opposition seemed for the present to be at an end.

Removal of Jewish Disabilities.

The only question of moment raised in the summer Session of 1857 was that of Jewish disabilities. In several successive years attempts had been made to induce Parliament to relieve persons of the Jewish persuasion, from the necessity of taking an oath on admission to either House, containing the words "upon the true faith of a Christian." Bills for that purpose had repeatedly been sent up from the Commons by large majorities, but they had uniformly been rejected by the Lords. More than one attempt had been made to induce the Lower House to waive the disabling form of oath by its own authority, but many who sincerely supported the principle of entire toleration, were averse, on constitutional grounds, to taking a course which would necessarily bring the Commons into open antagonism,

not only with the other branch of legislature, but with the courts of law. Again the Jew Bill was passed in the Lower House by a great preponderance of numbers; and again rejected by the Peers. Two proposals were then made,—the one that the Commons should assume by declaratory resolution, the power to regulate all matters affecting the admission of persons duly elected as members of their body,—the other to extend by Bill the provisions of the Act which, in other cases, permitted persons to be sworn in the manner and form which they declared to be most binding on their consciences, and to send up a new Bill for that purpose, thereby affording their Lordships an opportunity of reconsidering their recent decision. Much difference prevailed as to the comparative advantages of the two modes of proceeding; and a conference of Liberal members was convened at the "King's Head," Palace Yard. The attendance was numerous; and Mr Horseman, who had recently quitted office, was called to the chair. After several strong speeches had been made, Sir J. Graham rose. He was rejoiced at the opportunity which the invitation afforded him of attending there as one of the Liberal party. Their best bond of party union had in old times been, the advocacy in its most comprehensive sense, of the great principle of equality before the law of all men, irrespective of creed. In the thirty-three years he had sat in Parliament, it had been his good fortune to aid in the carrying of many mea-

1857.

10th July.

Meeting of Liberal members.

16th July.

1857. sures for the application of that principle; and he had never given a vote the other way. He rejoiced when the Catholics were emancipated, and the Dissenters relieved from the injustice of the Test Act; and he hoped they would soon see the Jews admitted likewise to a full participation in civil privileges. In four Parliaments he had voted for the Jew Bill, and he was ready to take any step which might be generally deemed wise and prudent to secure its passing. But he was slow to believe that the House of Lords were inaccessible to reasonable remonstrance on the subject. Since the Revolution, there was no instance on record, of their having eventually resisted any measure sent up to them by persistent majorities in the Commons; and for the sake of their legislative independence, which he earnestly wished to see preserved, he trusted that they would not provoke the representatives of the people to think seriously of dipensing with their legislative assent. Before doing so he certainly would like to try one effort, more by way of Bill. All the Ministers in the Upper House, he was told, had not voted on the late occasion. If so, he was sorry for it; but that was only a reason why they should make a strong appeal to Government to use all its influence next time.

His advice contributed materially to determine the course which was eventually taken; and though the Bill was not carried that year, its enactment in the following one was no doubt promoted by the

union and determination of the Liberal majority which he helped to secure. 1857.

Foundation of Silloth Railway and Dock.

He had two years before been asked to turn the first sod of the Carlisle and Silloth railway. The line was far advanced towards completion, and the greater undertaking with which it was meant to be connected, namely, the formation of a capacious dock at the entrance of the Solway, was now about to be inaugurated. Sir James laid the foundation stone, and delivered on the occasion an impressive speech, the chief topics of which were drawn from the history of the port of Liverpool, which had slowly risen, notwithstanding great natural disadvantages, to be the emporium of Western commerce,—and the circumstances of the Indian mutiny, with whose horrors and apprehensions every heart at the moment was full. He reminded his hearers that as they had not feared to begin their railway in the midst of the Crimean war, so he trusted they would not be distracted in the prosecution of another great and useful work of peace, by the natural anxieties attendant on the struggle taking place in India. Difficulties no doubt they would have to encounter, from the fretful and troubled Solway, and the capricious movements of Robin Rigg; * but as a member of a Committee on which he had sat for many weeks to inquire into the navigation of the Mersey, he had learnt enough to satisfy him that there were no obstacles which persevering

* A well-known quicksand in the estuary.

1857. industry and enterprise could not overcome. Let them think of what had been done at Menai Straits, which had been spanned by two noble works of mechanical art within their own time; and let them remember that the one was the work of Telford, and the other of Stephenson, both of them Borderers.

Illness and death of Lady Graham.

Soon after arriving in town in the spring of 1857, he became aware of the precarious tenure on which Lady Graham's life depended. She had complained at intervals for some months previously, and her uncertain looks betrayed the existence of some internal malady. But the love of life in her was strong, and her spirit too elastic to be easily quelled. She fought against the suspicion of serious evil longer probably than others would have been able to do; and her courage was stimulated by the womanly conviction, at once the source of anxiety and of pride, that with her existence, that of her husband was too intimately bound up to permit of hers being threatened, without inflicting a deep injury on his. Their union in the prime of youth and beauty had been one of love. For thirty-seven years they had hardly ever been separated, and throughout that time their mutual confidence and sympathy never had known interruption. During her gradual decline he was unremitting in his affectionate care. The saddening influence of the sense of coming bereavement betrayed itself in his looks and manner

whenever he took part, which was more rarely than usual, in public business. In the course of the summer, Lady Graham was ordered by the physicians to the sea-side. The brief remainder of her life was spent at West Cowes, Isle of Wight, where on the 25th October, surrounded by her family, who were long aware of her approaching end, she passed away. By her desire her remains were interred in a vault at Whippingham church. 1857.

On the 14th January the memorable attempt was made on the life of the Emperor of the French at the door of the Opera House in Paris. Orsini and several of his supposed confederates were arrested, and in the inquiries which thereupon ensued, the origin of the plot was traced to London. No Englishman was suspected of being in any way mixed up with the design; but in the excitement caused, more especially in French military circles, our Government was rudely blamed, for tolerating the presence of men who abused the privilege of asylum, to conspire against a sovereign with whom we were in amity, and who, whatever might be his offences in their eyes, had done nothing of which we had a right to complain. Regimental addresses of felicitation on his escape were presented to Napoleon III., and published in the *Moniteur*, in which England was branded as a den of assassins. Several applications were made through Lord Cowley to our Government for the adoption of measures against the Italian exiles domiciled here; and finally The Conspiracy Bill.

1858. a despatch was addressed by Count Walewski to the French ambassador in London, a copy of which he was to leave with the Secretary for Foreign Affairs, directly pointing to an alteration in our laws, in compliance with the opinions and wishes of the Emperor. No reply was given to this demand by Lord Clarendon; but as soon as Parliament met, the Premier moved for leave to bring in a bill to amend the law of conspiracy to murder. Mr W. A. Kinglake moved an amendment that it was inexpedient to legislate in compliance with the demand of a foreign Minister, and was supported by Mr Horseman, Mr W. J. Fox, Mr Bovill, Mr Roebuck, Lord J. Russell, Mr Hope, and Mr Milnes. Few were found on either side of the
19th Feb. House to defend the measure; yet upon a division the dissentients numbered but ninety-nine. On the second reading Mr M. Gibson moved a censure on the Government, for not answering as it deserved, the insulting despatch of M. Walewski, and this was carried by 234 to 215. In both divisions we find Sir James voting against the bill. On the following day Lord Palmerston resigned; and for a second time Lord Derby became first Minister.

Government of India. The Session of 1858 was chiefly occupied with debates on the political extinction of the East India Company, and the transfer of our Asiatic dependencies to the Crown. The member for Carlisle more than once took part in the discussion, opposing

the provisions of Lord Ellenborough's scheme, and supporting generally that of Lord Stanley. He retained his previous impressions against the concentration of colonial government in England; but he saw that it was useless to resist the tide which had strongly set in, against what was called the system of double government; and he believed that the best that could be done was to endeavour by wise provisions to secure, as far as possible, protection to the inhabitants of the re-conquered East against oppression. He devoted himself laboriously to the duties of the various select committees of which he was a member; and when the prorogation came, he returned to Cumberland, seeming to have suffered little from the closeness of his attendance in town. It was remarked by many that he had for some time taken no little pains to heal whatever still remained of old feud or quarrel, originating in past political strife. He was constantly impressed with the idea, that the sands of life were running out; and he seemed as though he wished to close whatever reckonings were still outstanding. What he would not do—so long as political motives, however vague or illusory, might appear to furnish a motive for the act,—he now took pleasure in doing, conscious as he was of having irrevocably "put away ambition." "There was," says one who knew him long and well, "a softening of demeanour in his intercourse towards those who came in contact with him, that struck me forcibly 1858.

1858. on several occasions. To his dependants he had always been considerate and kind." The interest he took in their personal welfare is illustrated by the following note to his medical attendant at Carlisle:—

Letter to Dr Page. 29th Aug.

"An old and faithful servant of mine, whom I regard as a friend, met with a most serious accident on my farm yesterday. He was milking a cow, he fell under her, she trampled on him, and has injured his spine and almost dislocated his neck. Mr —— has been in close attendance on him. Yesterday he despaired of the case; and thought that death was imminent from the shock to the nervous system. To-day he has rallied; fever has supervened, and nature is making an effort. I doubt whether the exact nature of the injury has been ascertained; and the immediate treatment requires the utmost skill. I turn to you, and should be obliged if you would come as soon as you can to meet Mr ——, and to prescribe the treatment which you consider necessary. The man's name is John Donaldson, and he lives at the Pitts, half-way between this place and Longtown. I am very anxious about the case; and I shall be obliged, when you have seen the man, if you will write a note to me, giving me your opinion and directions as to diet, stimulants, &c."

Parliamentary Reform.

Lord Derby's Administration had given a pledge that they would consider maturely the question of further parliamentary reform; and that if improvements in the existing system appeared to them practicable, they would introduce a bill to effect them. A scheme was prepared during the autumn; but when

submitted to the Cabinet, Mr Walpole and Mr Henley objected to the principle of a uniform franchise in counties and boroughs, on which it was based; and sooner than acquiesce in its adoption, they resigned. Their places however were filled up; and early in the Session, Mr Disraeli introduced the bill. He proposed to lower the county franchise to £10, and to retain the occupation franchise in towns at the same amount: but persons possessing freeholds in the boroughs should henceforth vote therein, instead of the counties, whereby it was estimated that an addition of several thousands would be made to the urban constituencies. Schoolmasters and pensioners were likewise to have the suffrage, as well as persons having sixty pounds in a savings' bank. Electors might give their suffrages by means of voting papers, instead of orally, at the places appointed for polling. Lastly, fifteen boroughs were to be disfranchised, and their representatives transferred to populous places named in the bill. On the second reading an amendment was moved by Lord J^n Russell, which had been adopted after consultation with Sir J. Graham, and other leading members of various sections, declaring that a much more considerable extension of the suffrage in towns was indispensable, and that the freehold votes ought not to be withdrawn from the counties. If Ministers refused to concede these points, and the amendment

1859. Uniform Franchise.

1859. were carried, the bill would fall to the ground. Sir James, who wished to see the question settled as soon as possible, and who did not wish to hasten a change of government, urged the former course. There was in the bill many points in common with that which in 1854 had been brought in by the Government of Lord Aberdeen; and he admitted that the proposed transfer of the freehold votes from counties to towns had in 1831 been regarded as not inadmissible by Lord Althorpe. But whether they could accept such modifications of their plan at the bidding of opponents, was a question of political honour, of which Ministers must themselves be the only competent judges; if they would not or could not, however, he should certainly vote against the bill.

Repudiation of finality.

"The authors of the bill of 1832 held out the assurance to the Sovereign and to Parliament that, because it was a large and comprehensive measure, they hoped it would be accepted as a final settlement. He had clung to it in that sense, but he found, from circumstances into which it would be unnecessary to enter, that finality was a position which was no longer tenable, and therefore he felt it to be his duty to see what amendment might yet be proposed. It might be in the recollection of the House that the noble Lord (Stanley) in defending identity of suffrage, said that it would afford an easy mode hereafter of disfranchising smaller boroughs, whose disfranchisement he said was inevitable. Now, he begged to remind hon. gentlemen of the great changes which had taken place with regard to reform within the past few months. The

noble Earl at the head of the Government had received the confidence of the Conservative party in 1852, and had assumed power under the assurance that his special mission was to stem the tide of democracy, and raise a barrier against dangerous encroachments. In the year 1857 he (Sir J. Graham) voted with the hon. member for East Surrey, for reducing the county franchise from £50 to £10. Hon. gentlemen at the Conservative side of the House offered a strenuous opposition to that reduction, and urged the gravest objections against it. The Government of Lord Derby now proposed to change the county constituency from £50 to £10. They did so deliberately and advisedly; and as a counterpoise they proposed the countervailing disfranchisement of borough freeholders to diminish the danger of democracy. It seemed to him that the measure was framed on an entire misconception of that which, if well understood, was Conservative in its character. What, he asked, were the real dangers of extreme democratic changes in this country? The Chancellor of the Exchequer declared, that identity of suffrage was the keystone of the measure. There was then identity of suffrage,—electoral districts, not equal, but less unequal,—and voting papers. He (Sir J. Graham) contended that these three outlines had a direct tendency to raise the apprehensions of those who supported what were called Conservative principles. Having obtained identity of suffrage in boroughs and counties at £10, the right hon. gentleman (Mr S. Herbert) had shown how, by a turn of the hand, or in a rash moment, that suffrage might be reduced either to household suffrage or to manhood suffrage. The electoral districts were at present unequal; but when the suffrage was made identical the districts ought no doubt to be equal, and it was proposed by the process of a boundary

1859.

1859. commission to equalize them to some extent. There remained then only the ballot; and he thought, if the conversion of unequal to equal districts were found so easy of accomplishment, the conversion of voting papers from sealed envelopes to secret voting would be easier still. In his opinion the difficulty of reform would be infinitely increased, if they proceeded on abstract principles and according to logical inferences from general principles of change. The bill was conceived with too much—he would not say sagacity, but with the avowed intention of obtaining from every quarter of the House that support which might effect what appeared to be the primary intention, namely, a triumph party. In that respect the bill appeared to be too clever by half. That which was an excellence in a theorist was often a great defect in a statesman; and the same hand which produced beautiful romances might often lead to the issues of a great revolution. He had said that a less subtle and comprehensive measure would have had a much greater chance of success. He would refer to a saying of Cromwell to lawyer Barnard:—'You are vastly too wary in your conduct. Do not be too confident, for subtility may deceive you; integrity never.' His noble friend the member for London had done him the honour to confer with him after the bill was laid on the table. The hon. gentleman on the Treasury bench cheered. Was it unnatural, was it improper, that he and the noble Lord, the only surviving members of the Committee which framed the Reform Bill of 1832, should confer as to any further reform? At that moment, whatever might be the difficulties created and increased by these prolonged discussions, he did not think he ever saw in that House greater unanimity, a unanimity extending to both sides, against the

"The scheme too clever by half."

Saying of Cromwell.

principle of the bill. Yet even with all the elements of which the House was composed, it did not seem an impossible matter to introduce a bill which should meet acceptance in that House. For such a bill he would take as a point of departure a lowering to a considerable extent of the borough franchise, a prohibition of travelling expenses to voters, a disfranchisement, within moderate limits, of the smaller boroughs, and an enfranchisement, with strict impartiality, of the larger counties and larger cities. Even now he believed that a bill so framed would command the support of the majority in that House. He would pass on and consider the bill before them as it stood. It proposed to deal with the imperfections of the Reform Bill. But so far from remedying these imperfections, it would aggravate them. It was admitted that one of the greatest imperfections in the Reform Bill was the £10 franchise in cities and boroughs. It was not sufficiently elastic, and had not expanded with the increasing intelligence and numbers of the people. How was that defect met by the bill? He would not, in alluding to the fancy franchises, use a discouraging or disparaging expression, for several of them might be the means of salutary improvements. But with a single exception, which, after all that had been said, he did not think would be largely operative, there was no alteration in the bill in the terms of the city and borough franchise, unless it was the addition of freeholders disfranchised in their respective counties. 1859.

"The Chancellor of the Exchequer admitted that in cities and boroughs there had been an increase of population, an increase of wealth, and an increase of intelligence. The natural consequence would be, that this increase having taken place since 1832, there should be a corresponding increase in the

1859. number of voters. The fact he believed to be decidedly otherwise—the number of voters had been gradually diminishing.

"He had stated that the operation and object of the bill of 1832 was to transfer power to the middle classes. But he felt that it was a most dangerous doctrine to hold that the humbler classes below the middle classes, did not take a real and deep interest in this question. Because the working classes might not be turbulent—because to an inexperienced eye they might appear to be indifferent, there was no more dangerous error than to suppose that they had not this question at heart. He was speaking in a strictly Conservative sense, when he held that it was infinitely more safe to make timely concessions to reasonable demands, than pertinaciously to stand upon extreme right and make no concession. He did not believe the demands of the working classes for the franchise could be longer refused with safety. But once adopt the principle of uniformity, and then if they lowered the franchise in the boroughs below the proposed franchise for counties, it would be necessary to lower the franchise in the counties also. He therefore came to the conclusion, that it would be better to stand on the ancient difference between the two. He thought the ancient borough franchise did rest upon rating and long residence, and he was of opinion that the municipal franchise, as originally passed, was a good franchise. A three years' residence and two years and a half payment of rates gave them the best security for the character of a party; and therefore that would be a safe precedent to follow. An hon. gentleman had said that if they took 50,000 men they would find the taxes were paid by 10,000 of the upper classes. He repudiated that doctrine altogether. It was only necessary to mention six articles—sugar, tea,

Claims of working classes must be conceded.

coffee, malt, tobacco, and spirits. The taxes on these articles nearly covered the interest of the national debt of the country, and they were paid by the humblest of the working classes. On the ground of taxation, therefore, they were clearly entitled to the franchise,—and on the ground of growing wealth and intelligence, it was most expedient and necessary that their numbers should be considerably increased in the borough franchise. He did not hesitate to say that, in his opinion, the time had come when political power must begin to descend to the working classes. * * * Would the House bear with him whilst he read a passage from M. de Tocqueville?— 'When poor and rich had hardly any interest in common, when they had no common grievance, when there was no common co-operation; when there was that darkness which hides the feelings of one class from the other, and they so became inscrutable; the two lived side by side without fathoming each other. It was curious to see in what strange security those who occupied the upper and middle storeys in the social edifice lived up to the last moment when the Revolution broke out.' He did not use these words in a spirit of intimidation; but in a far different spirit. He wished the House not to disregard historical experience, and not to forget that solemn warning. 1859. Quotation from M. de Tocqueville.

"He was sorry if he had wearied the House by the discussion of what might appear to be details,—but he must express his strong objection to a system of voting papers. What would be the effect of these voting papers? They would require two witnesses; one must be a householder; but one or the other, he thought, would invariably be either the landlord's agent, or the candidate's agent, or the country attorney's clerk, or the banker's clerk. A landlord might direct

1859. his agent to be sure that all his tenants got voting papers, and to go round and see them sign. If the agent's influence were not sufficient, he might call in the aid of the banker's clerk, who was probably a householder, and who knew well what the cash credits of the voters were in the bank, and a communication might be made that it would be desirable the depositor should sign the voting paper; or if that were not enough, the influence of the attorney might be brought to bear—and that would be the strongest screw perhaps of all. He was firmly persuaded that if this system of voting papers were organized, it would introduce intimidation and bribery; and that after the very first general election, the demand for secrecy, which was now spreading, would become universal. It had been said that voting papers were used at municipal elections; but an hon. member had recently shown that under that system electors who were unable to write were often fraudulently induced to vote for the wrong candidate; and in consequence of representations to that effect, a clause was introduced in the Municipal Elections Bill, prohibiting the use of voting papers, and that clause was agreed to without any division within the last ten days. He was greatly deceived if his right hon. friend at the head of the Poor Law Board would not agree with him, that voting papers had led to every species of abuse. He wished to show how wide was his objection to this measure, and if pressed to a second reading he could not hesitate as to the vote he should give. What the House had to consider was how to do their duty. He had said that he was for the rejection of the bill on the second reading. If the Government considered the carrying of the resolution as equivalent to a rejection of the bill, and they acted accordingly, they must meet their fate. He had not taken any fac-

tious course in opposition to them, and he did not desire their overthrow. 1859.

After long debate the bill was rejected by 310 votes to 295.

In the House of Lords, on the 10th April, Lord Derby announced an immediate dissolution. Parties he declared were so evenly balanced, that no Government could be found sufficiently strong to carry legislative measures of importance, or to conduct the business of the country as it ought to be conducted. The House of Commons had rejected the India Bill, originally proposed by Ministers, their advice regarding Church Rates, and their plan of Reform; and upon the last-named subject, he declared that he desired to be understood, as no longer holding himself bound to the propositions which had been thus refused. Preparations began to be forthwith made for the general election; and Sir James, for the fifth time, offered himself as a candidate for Carlisle. His address, dated Grosvenor Place, 5th April, stated concisely the issue raised by the Ministers. They regarded the resolutions recently passed, in favour of a greater extension of the suffrage in towns than had been contemplated by them, as offensive. "They sought to brand the offenders, and to rid themselves of their presence in a new Parliament, by appealing to the country. He was one of the offenders. He had voted for the offensive resolution. He had supported the abolition of Church General Election.

1859. Rates. It was for them to say whether by so doing he had forfeited their confidence. At the commencement of the Session Ministers had recommended a reform of the representation as necessary and expedient; now these very men would no longer pledge themselves to the introduction of a new reform bill. The question, therefore, really submitted to them was, 'Reform' or no Reform?' A liberal policy, or tame submission to Lord Derby? If they preferred plighted supporters of the Ministers he was unfit to serve them. If they wished still to trust an old and tried servant, he should not flinch from the duty. He was ready once more to be their representative, fortified by the renewal of their approbation, but determined to exercise an independent judgment."

Reform or no Reform.

In anticipation of the contingency which had now arisen, his nephew, Mr Wilfred Lawson, was brought forward as the candidate of the more advanced section of the Liberal party. On most points of immediate interest they professed to be in accord; but Mr Lawson pledged himself to vote for the ballot, which Sir James declined to do. On the other side, Mr Hodgson declared his resolution to stand again as a friend of the Administration; but it was understood that no second Conservative candidate would be brought forward; and it was supposed that many of the constituency would be well content to see the representation continue as it was before.

Insinuations were even thrown out that this was really the feeling of Sir James, between whom and his late colleague ties of personal intimacy and regard had long subsisted. From the outset, however, he would suffer no cause of distrust or severance to prevail; and though unable to take as active a part as formerly, he identified himself throughout with Mr Lawson, and on political grounds he contended energetically against Mr Hodgson's return. He remained in London until the 20th April. On the afternoon of that day he was once more welcomed by his friends to Carlisle. In the evening a vast assemblage was collected in the market-place, whom he addressed from the Town Hall stairs. As soon as silence was obtained he said:— 1859.

Speech from the Town Hall stairs.

"I am weary with a long journey. I have for the last three days been suffering great pain; and I am afraid that my voice will not reach to the full extent of this large crowd. But still I could not pass through this city this evening, after the kindness with which I understand you have received the notification of my intention again to become a candidate for the honour of representing you, without endeavouring to seize the opportunity of expressing to you my thanks. Gentlemen, this scene reminds me of what passed some three-and-thirty years ago, when I first had the honour of presenting myself at Carlisle, to ask for the privilege of representing you in Parliament. (A voice—"On the top of a carriage.") Ah, on the top of a carriage. I was afraid that another generation

1859. had come—a generation that knew not Joseph; and that you had forgotten that day. But I am glad to find a friend, old as myself, who remembers it. This scene reminds me of that occasion: It is encouraging,—it is reviving. I was then the advocate of the people, and of popular rights, and I am so now. I was then a Reformer, and I am so now. I then fought under the Blue flag; I fight under the Blue flag still. Your fathers were true to me; you are not degenerate, and I believe the sons will be true to me also. We conquered on that occasion, and we shall do so again. I beat the Yellow candidate. I will not boast; it is absurd to boast in all cases —at elections especially so. It is for you to say whether the same triumph shall attend me again. (Cries of "It shall.") Now where is my friend Mr Perring? Is he here? (A Voice —"He's over yonder.") He did me the honour of proposing me in 1852, as the candidate most eligible and entitled to represent you. But he has opened the columns of the *Patriot* to what he terms Election Muse; and there are some squibs which are very entertaining, but somewhat disparaging to me. In his last number he says, the fitting place for me in Carlisle is, as a weathercock, on the top of your Cathedral. Well, I think it is very likely that on the day of election I shall show which way the wind blows.

He proceeded to discuss the leading topics of the day, during upwards of an hour; declaring that he should not attempt a personal canvass, but that on the day of election he should meet them once more. Another audience awaited him in the assembly room of the Coffee House, to whom he delivered an address

upon nearly the same subject, but in wholly different language. He rejoiced that all vestiges of past dissension were forgotten, and that the party on whom he had so often relied for support were thoroughly united again. He acknowledged warmly the forbearance they had shown him on the last occasion, especially regarding his opinion on the ballot. When an interrogatory or a taunt on that question might have had a serious effect, not a word was spoken concerning it. He felt deeply the kindness of those who had been thus forbearing; and the testimony he had lately offered in Parliament, to the growth of opinion on the subject, proved that he was not unmindful or ungrateful. His individual opinion he was bound to say frankly was unchanged; and he could not mislead them by any ambiguous or conditional promise that he would vote for the ballot. Of one change in himself he was painfully conscious. "He had no longer the power, the energy, or the fire which, when first he came to Carlisle, were devoted to their service. He had now reached a period of life when ambition was fully satisfied. He had nothing to desire. He was not seeking for power or place. He was quite content with his position in the House of Commons, as the independent representative of an independent constituency, speaking the voice and sentiments of men of honesty, respectability, and virtue, such as those he was now addressing; and if he 1859.

1859. could once more give effect to their opinions before the grave closed on him, he should be more than content with the part he had borne."

Exhausted by the unusual effort he had made, he remained during the greater part of the following week confined to his room. From time to time he learned the progress of the canvass at Carlisle; received the visits of some of his most intimate friends; and noted anxiously the wavering fortunes of the national struggle. From his invalid chamber he seemed to listen for each succeeding murmur of the coming strife. Of the general result he entertained no doubt; but the painful presentiment haunted him, that it was the last battle in which he should individually take part. Two or three days before that fixed for the nomination, his physician happened to call at Netherby, and found him low, and complaining more than usual of discomfort in the region of the heart. Without encouraging his despondency, Dr Page hinted that the excitement of the hustings might do him harm; and ventured to suggest that his presence in Carlisle could not be indispensable.

The nomination.

"There are," he said, "occasions in the life of a public man when he is bound to run any risk, rather than incur the apparently just reproach of shirking his duty. Thursday next at eleven o'clock will be one of those for me, and I am determined to go to Carlisle whatever be the result. So I shall take my ten drops of laudanum," he added cheerfully, "and if anything goes

wrong, I shall tell the Blues that you are a bad Yellow doctor, and that it is no fault of mine." When the day came he was better, and nothing occurred to distress or disturb him throughout the proceedings. He was well received on making his appearance. No candidate appeared to contest his re-election, the struggle being between Mr Lawson and his late colleague. His speech was rather intended for the country at large than for local parties, with whose contentions and animosities he felt that at length he had done. It concluded in the following words :— 1859.

"Something was said about change of opinion. Well now, gentlemen, the last half-century has been the period of my active life. Within that period all has changed around me. I have seen the face of nature change. I have seen morasses converted into dry ground. I have seen desert wastes in this country made to teem with golden harvests. I have seen grass supplanting heather, and running up to the tops of our highest hills. I have seen night turned into day in our cities and dwellings by the aid of gas. I have seen time and distance all but annihilated by the locomotive power of steam, by sea and land. I have seen the electric telegraph conveying from zone to zone the intercourse of man, by sparks stolen, as it were, from heaven: I have seen mighty monarchies fall; I have seen Republics founded on their ruins crumble into dust. I have seen military despotism grow up and wither. And shall man, frail man, amidst all these changes of nature and of polity, alone stand immovable, unaltered in his opinions and feelings? I say that if a man is to refuse to yield to the pressure of the times and of the circumstances in which his lot is The Law of change.

1859. cast—if he is not open to conviction, and, frail in judgment though honest in purpose, refuses to change his opinions, notwithstanding the altered state of affairs and the altered condition of things around him,—such a man may be fit for a lunatic asylum, but I say he does not possess the true recommendations for any deliberative assembly in the world. My strength fails me. I can detain you no longer; but I thank you very cordially for the patience with which you have heard me; and I still confidently hope that I shall have the honour shortly after four o'clock to-morrow, to address you as one of the representatives of this ancient city."

At the close of the poll the numbers were, for Sir J. Graham 538; Mr W. Lawson 516; and Mr W. N. Hodgson 475.

8th May. At a public dinner in honour of the Liberal representatives of the city and Eastern division of the county, Sir James reviewed the incidents of the general election, and noticed certain rumours which were in circulation respecting the influence exercised by Government. Some related to contracts for packet-service; others to the allowance for billeting soldiers; and an alleged promise to convert the old castle of Berwick-on-Tweed into barracks. The latter allegations were subsequently contradicted in writing by General Peel; and Sir James expressed his regret at having been misled into making them.

The balance of parties was not materially changed in the new Parliament. Ministers were still in a minority, should all other sections coalesce against

them. This did not at first seem probable; but after some weeks, old differences were composed; and upon the understanding that a more liberal measure of Reform than that of Lord Derby should be brought forward without delay, Radicals and Whigs agreed to support a vote of want of confidence in the Conservative Ministry. Sir J. Graham, Mr S. Herbert, and most of their friends, continually supported Lord Hartington's motion to that effect; and Lord Palmerston was thereby restored to power. Office was once more offered to Sir James, but again and finally declined. He was gratified by the nomination to the head of the Admiralty of the Duke of Somerset, with whom he was connected by the ties of family and friendship, and of whose judgment and ability he entertained a high opinion. He likewise rejoiced at the return to office of his Peelite friends, especially Mr Sidney Herbert, to whom he was much attached.

1859. Reunion of parties in opposition.

During the two succeeding years he appeared to be as devoted as ever to Parliamentary business, being seldom absent from his place in the House, and attending regularly in committees. Those who knew him best perceived most clearly that he was no longer fitted to sustain the wear and tear of such exertion; and they often counselled him to avoid the excitement of debate, and the continuous labour of investigation into subjects of difficulty and importance. But he could not bring himself to withdraw

Failing health.

1860. from the scenes amidst which the prime of his days had been passed. When stricken down by acute suffering he would yield to persuasion, and for a few days together he would abstain. But the depressing sense of disability became more intolerable than any apprehension of bodily pain; and he easily convinced himself that, as long habit is said to be second nature, without work he could not exist. At times he looked as full of life, and showed as much of versatility and vigour, as he had ever done. But as the malady wherewith he was afflicted grew more and more confirmed, his appearance, gait, and manner gradually underwent a change, indicative of declining strength. He would frequently stop suddenly when walking, as if wholly unable to proceed; and sometimes he would abruptly quit the House and return home, contrary to his intention in the morning. His frequent allusions in conversation to his failing health were generally set down to hypochondriacism; and his aspect to ordinary observers, seemed no worse at the beginning of 1861 than it had at the close of the preceding Session.

While walking across St James's Park one day from Westminster, he suddenly became so ill, that he was compelled to sit down on one of the steps leading to the column on Carlton Terrace. Several persons gathered round him and offered their assistance, without recognizing apparently who he was. In a few moments Lord Dungannon, happening to pass,

remained with him until he was somewhat recovered, and then accompanied him home. 1861.

Though personally connected no longer with office, he continued to take a deep interest in all that concerned the departments with which he had been formerly identified. He was one of the Select Committee appointed to inquire into the constitution of the Board of Admiralty, its various duties, and its general effect on the service of the Navy. He was unremitting in his attention throughout its protracted investigations; and for two days gave evidence himself as to the result of his personal experience in the capacity of First Lord. One of the chief questions in controversy which were understood to be submitted to the Committee, was whether a Minister of Marine ought to be substituted for the Admiralty Board. In the evidence he had previously given before the Dockyard Committee, he had been supposed to lean rather towards the concentration of all the administrative powers of the department in a single hand; and when interrogated by the Select Committee as to his opinions on that head, he gave in detail a great variety of reasons, with illustrations drawn from the history of the past as well as that of our own time, showing, as he contended, the superior efficiency of the system when the First Lord was felt to be supreme. But he made an elaborate case of fact and argument, intermingled with warning as to the future, against the abolition of the Board of

Inquiry into the Naval department.

1861. Admiralty. He traced with antiquarian care, the origin and course of patents, under which successive commissions had been constituted during many reigns, for the conduct of the affairs of the Navy; and showed how detrimental had been the occasional departures from that practice, when the office of Lord High Admiral had been temporarily revived, by some caprice of the Court. If they would maintain, as he wished to do, the paramount authority of the House of Commons over the department, they ought to beware of setting aside the established precedent, by which each patent constituting a new Board, was punctiliously copied from the preceding one. The head of the Board was invariably a member of either House of Parliament, and a certain number of its junior members always held seats therein. Constitutional accountability for their acts was thereby insured. But let them once get rid of the wise and salutary practice he described, and set about framing a new commission for the purpose of investing the whole powers of the Admiralty in a single individual, and who could tell what limitations might be introduced into the terms of that commission, or how long it would be before the department, with all its vast patronage and influence, was conferred upon a Prince of the Blood? When reconstituting the War Office in 1854, it had been at first understood that the Secretary of War was to have the supreme control of the army; but when

the commission came to be framed, difficulties arose; and the result had been that the Horse Guards still exercised co-ordinate authority without responsibility to Parliament. 1861.

On other topics Sir James's testimony attracted no little attention. When asked his opinion regarding admission to the Navy by competitive examination, he said:—

Nomination of cadets.

When I left the Admiralty in 1855, the power of appointing naval cadets was absolutely and exclusively vested in the First Lord by nomination. Since I left the Admiralty I know that examinations before admission have been introduced both in the army and the navy. The first appointments with regard to the navy, subject to examination, are in the hands of the First Lord. With regard to the army, they are in the hands of the Commander-in-chief at the Horse-Guards, subject to the approval of the Secretary of State for War, and in both subject to passing a standard examination. I should deprecate purchase in the navy to the last degree, and I wish that I could see my way to the abolition of it in the army. I think a standard examination is a decided improvement, both for admission to the marines and to the navy. Of course by raising that standard from time to time, you may increase the difficulties of admission, and raise the general level of acquirements. I should be sorry to see that level raised too high, but I would rather have it kept down to that sort of general education which a lad of 14 should possess, to give vigour to his intelligence, without having unduly interfered with his health, exercise, and amusement, which foster the

1861. seeds of gallantry. I think that a standard examination is an improvement, and is right. Admission is not thrown open to the public; whether it would be possible to do so I cannot say; but there is, as it is now constituted, more than an adequate supply of youth of promise and of good education. The supply is more than equal to the demand. The Artillery and Engineers is the only service connected with arms in which the competition is open. We have not yet proceeded further, and it is right, I think, to try the effect of it before you do so. Then with regard to the distinction between the marines and the naval cadets, there is an obvious difference of age. The marine cadets are young men so advanced, that they must be capable at once of undertaking the service; and with regard to them I, for one, should see less objection to open competition than with respect to naval cadets. Naval cadets are, rightly, extremely young; and I am very much afraid that if you throw open to unlimited competition, admission to naval cadetships, you would have a system of cramming and premature close study, which is inconsistent with the vigour and health of the youth; and I should be extremely sorry to see competition attended with those evils introduced with respect to boys. To use an Eton word, the "saps" who are most successful, are very far from being the finest boys. I think that those who come in first at the class examinations at Eton, are very often not the best at sixpenny corner and playing at football. I should like a boy who fought a good battle, and who was first at football, quite as much as the best scholar.

**

At one of the sittings of this Committee, Admiral Bowles attended as a witness, and was examined at

some length on various topics, involving the general efficiency of naval administration. He intimated his conviction that certain shortcomings of the department in time of war, were attributable to the suppression in 1832 of the Navy and Victualling Boards. This was rather too much for Sir James, and he set about cross-examining the Admiral in his accustomed way, but with more than his accustomed interest, feeling as he did that the character of a measure he had always prided himself upon had been rudely challenged. The excitement proved too great for him; he was seized with a violent spasm, and had not air been quickly admitted into the room and active stimulants applied, it is doubtful whether he would have quitted it alive. He soon rallied however; the acuteness of the pain passed away, and he was able to resume his attendance in a day or two. But the next time he met a near relative, to whom he mentioned what had happened, he said laughingly—"It is time for me to give over, when I am thus liable to be upset; the notion of my being put out in this sort of way by old Bowles!" 1861. Admiral Bowles.

He felt deeply the premature death of Lord Herbert, with whom he had for years lived on terms of the closest friendship, and whom he had named, with his brother Major Graham, executor of his will. He was very unwell on the day appointed for the funeral obsequies at Lea; but he could not reconcile himself to the idea of being absent; and with Lord Herbert.

1861. three distinguished friends of the deceased statesman, he repaired to the sad scene. Before the funeral cortége left the house, he was seized with acute spasms of the heart, and seemed for a time wholly unfitted to take part in the ceremony. The seizure passed away however, and he was gratified at being able to resume his intended place. An ominous recollection of the ill effects which attendance at the Duke of York's funeral, had upon Mr Canning's declining health, more than once came over him; and he soon afterwards quitted London, not without a presentiment that it was for the last time.

Motley's History. Those who saw him after his return to Netherby were painfully struck by his altered look and bearing. He had become much thinner, was less firm and active in his gait, and frequently breathed with great though intermittent oppression. The fineness of the weather and the quiet of the country revived him; and he once more sought occupation, in overlooking what was going on in farming life around him. It was palpable however that exercise soon tired him, and that he was afraid of making any exertion beyond that of an ordinary drive or walk. Sometimes he could not be induced to quit the house for several days together; and his unceasing zest for reading and correspondence, served to render him in some degree unconscious of the physical languor that was stealing over his powers. One of the last books he read was Mr Motley's History of the Dutch Repub-

lic, of which he spoke repeatedly in terms of the warmest admiration. More than once he laid down the volume he was perusing, and exclaimed "this *is* history;" and he would then seem lost for a time in ruminating over the stirring scenes and incidents depicted in the glowing page. He thought the style less perfect than Macaulay's; but the story more reliable. 1861.

He was unable to attend the Agricultural dinner in September; and sent the following note of apology to the Chairman:—

"Netherby, 16th September, 1861. Letter to Mr Howard.

"My dear Howard,

"As you are to preside at the Agricultural meeting at Carlisle, on Wednesday next, I am particularly sorry that I shall be unable to attend. Every mark of kindness and of respect is due to you from me; but neither my health nor spirits qualify me for a public dinner; and I must request you to make my apologies to the company assembled, and to assure them that the improved Agriculture of East Cumberland, is an object in which, at the close of life, I take as deep an interest as I have done from my earliest youth.

"Pray remember me kindly to Mrs Howard; and believe me always

"Sincerely yours,

"James Graham.

"P. H. Howard, Esq."

During the greater part of October he suffered constantly from the spasmodic affection, which had

1861. so long undermined his strength: and several times those about him feared that he could not survive the violence of the attacks. When free from actual pain he was comparatively cheerful, but never wavered in his belief that his time was nearly come. On the 23rd and 24th he suffered much. His medical attendant found him next morning tranquil, but obviously impressed with the imminency of his fate. He said he had slept but little, and the last seizure had been so much more severe than any he had previously experienced, that he did not think he should have got over it. "All night I have had those words of Homer in my head, that tell how death is sure to come to all alike, whether a man be firm of heart or scared by its approach. His pulse betrayed symptoms of weakness, and Dr Page requested him to take a restorative draught. He seemed very unwilling to comply, but being again urged he took it, saying, "I don't think any other man in England could have persuaded me,—there, it is the last stimulant I shall take. And now, my good friend, do not stay any longer. You know many to whom you may do some good, and to me you can do none. You have, I feel, done all that was possible for me; but you can do no more." He spoke with unabated firmness, and apparently without emotion. His brother William, who had been sent for, soon after daybreak, to Arthuret, entered the room, and expressed his

concern for the sufferer. He held out his hand to his oldest and best of friends, who could not wholly conceal what he felt. "Pray with me," he muttered, in a low voice. His brother knelt and offered three or four earnest petitions suited to the occasion. For the last time the accents of the brothers mingled in worship. Soon afterwards he bade a last farewell to his children who were gathered by his side, each of whom he addressed in most touching and appropriate language. 1861.

His long account with the world closed, his mind appeared to commune with itself; and the last few hours, though not undisturbed by bodily suffering, were passed in a state of wakeful and wistful calm. As the life-tide ebbed, his spirit, ere it parted from its last anchorage on earth, seemed to heave gently to and fro, as tender murmurs of days long gone by, alternated with earnest yearnings towards the world to come. There were no regrets, no murmurings, no fretfulness in pain. Ambition and its aching cares had been all put away; and of time, nothing now remained for him, but the affections of the loved ones who surrounded him. Gleams of the sunshine that had gilded his youth broke in upon him now and then, while the intermediate space, once crowded with images of strife and struggle, faded into nothingness. The exquisite lines already referred to, which had fascinated his boyish sympathy with manly grief, came to his dying lips Last words.

1861. unsought for, and were the last articulate words he uttered.

On the north side of the old church of Arthuret, near his father's resting-place, he had chosen the spot where, without pomp or ceremony, he wished that his remains should be laid. A massive slab of red sandstone bears only the inscription of his name and age; and in the chancel a monumental tablet of white marble has lately been erected. His will, dated May, 1858, contains the following clause: "I leave the whole of my official correspondence, deposited in boxes, in a room specially set apart for that purpose, at Croft Head, to my brother George Graham, and the right hon. Sidney Herbert, with full power for them or the survivor of them to destroy the same, wholly or in part, as they or he may judge best; but I strictly enjoin, that in any selection that may be made for publication, due regard may be paid to my memory, and to the fair fame of those who have corresponded with me, under the sacred bond of mutual confidence, and of those upon whose conduct I may have commented too harshly."

THE END.

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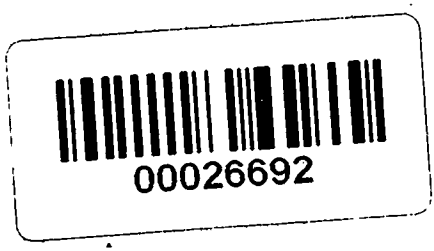

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